

JOURNALS OF
SENATE AND ASSEMBLY

FIFTH EXTRA SESSION

1940

L500

J7

C.2

CALIFORNIA
STATE LIBRARY

GOVERNMENT
PUBLICATIONS



0 2007 1167218 4
California State Library

CALIFORNIA
STATE LIBRARY

GOVERNMENT
PUBLICATIONS



JOURNALS

OF THE

SENATE AND ASSEMBLY

CALIFORNIA LEGISLATURE
FIFTY-THIRD (FIFTH EXTRAORDINARY) SESSION

DECEMBER 2-5, 1940



LIEUT. GOVERNOR ELLIS E. PATTERSON
PRESIDENT OF THE SENATE

HON. GORDON H. GARLAND
SPEAKER OF THE ASSEMBLY

SENATOR JERROLD L. SEAWELL
PRESIDENT PRO TEMPORE OF THE SENATE

HON. GARDINER JOHNSON
SPEAKER PRO TEMPORE OF THE ASSEMBLY

JOSEPH A. BEEK
SECRETARY OF THE SENATE

JACK CARL GREENBURG
CHIEF CLERK OF THE ASSEMBLY

printed in CALIFORNIA STATE PRINTING OFFICE
SACRAMENTO, 1941 GEORGE H. MOORE, STATE PRINTER



Journal

Volume 1

1880

Published by
the
Author

No. 1

1880

Published by the Author

Published by the Author

Published by the Author

Published by the Author

Published by the Author

CALIFORNIA LEGISLATURE
FIFTY-THIRD (FIFTH EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Monday, December 2, 1940.

The Senate met at three o'clock p.m., pursuant to the provisions of the proclamation of His Excellency, Culbert L. Olson, Governor of the State of California, dated December 2, 1940, convening the Legislature of the State of California on this day in extraordinary session.

Lieutenant Governor E. H. Patterson, President of the Senate of the Fifty-third Session, in the chair, called the Senate to order.

Pursuant to the provisions of Section 237 of the Political Code, Joseph A. Beek, Secretary of the Senate, James Boyd Garrison, Minute Clerk, and Joseph F. Nolan, Sergeant-at-Arms, were present and occupied their respective positions.

Roll Call.

The roll was called, and the following Senators answered to their names:

Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Holohan, Jespersen, Keating, Kenny, Mayo, McBride, McCormack, Metzger, Mixer, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, Swing, Tickle and Wagy—34.

Quorum present.

Prayer.

By invitation of the President, prayer was offered by Alfred Tonness, Executive Secretary, Church Council of Sacramento.

Proclamation of the Governor.

The President of the Senate directed the Secretary of the Senate to read the proclamation of the Governor convening the Legislature in extraordinary session.

Whereupon the Secretary read the following proclamation:

Proclamation.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

WHEREAS, An extraordinary occasion has arisen and now exists, requiring that the Legislature of the State of California be convened; now, therefore,

I, Culbert L. Olson, Governor of the State of California, by virtue of the power and authority in me vested by Section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet and assemble in extraordinary session, at Sacramento, California, on Monday, the second day of December, one thousand nine hundred and forty, at three o'clock p.m., of said day, for the following purposes and to legislate upon the following subjects, to wit:

1. To consider and act upon legislation providing the bases, terms and conditions upon which, and in accordance with unemployment experience, the rates of contributions by employers under the Unemployment Insurance Act may be reduced in conformity with the requirements for an additional credit under the Federal Unemployment Tax Act.

2. To consider and act upon legislation making an additional appropriation to The Adjutant General and the California National Guard for construction, improvements and equipment of armories, arsenals, stables, rifle ranges and camp sites, and to make an additional appropriation to the emergency fund specified in Item 212 of the Budget Act of 1939 to reimburse the fund to the extent that moneys have heretofore been made available therefrom to The Adjutant General and the California National Guard for the purposes specified herein.

3. To consider and act upon legislation to enable the State of California to establish and maintain military forces and organizations in addition to the California National Guard, as authorized by Federal law.

4. To consider and act upon legislation relating to the use of the tidelands and submerged lands which were granted by the State to the City and County of San Francisco by Chapter 912 of the Statutes of 1933.

5. To consider and act upon legislation authorizing life insurers to make investments in housing projects and providing for the taxation of the projects and of insurers investing in such projects.

6. To consider and act upon legislation to authorize the erection and maintenance and to provide for the use of a wind tunnel and necessary appurtenances on the campus of the San Diego State College.

7. To consider and act upon legislation authorizing counties and sixth class cities to acquire, establish, operate, repair and maintain ferries, landings and appurtenances, and to contract with one another for such purposes.

8. To consider and act upon legislation authorizing county boards of supervisors to exchange real property with the United States Government, or any agency thereof, for use for public purposes.

9. To consider and act upon legislation to authorize the city of Santa Barbara to convey to the United States Government, or any agency thereof, a portion of the lands heretofore granted to the city by the State of California.

10. To consider and act upon legislation to authorize the State of California acting through The Adjutant General to exchange certain real property situated in the county of San Luis Obispo.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this second day of December, A. D., One Thousand Nine Hundred and Forty.

CULBERT L. OLSON,
Governor of California.

Attest: PAUL PECK, Secretary of State.

[SEAL]

Senate Resolution No. 1.

The following resolution was offered:

By Senator Slater:

Resolved, That the Senate do now organize and proceed to elect the officers and employees of the Senate for this Fifty-third (Fifth Extraordinary) Session.

Resolution read, and on motion of Senator Slater adopted.

Senate Resolution No. 2.

The following resolution was offered :

By Senator Swing :

Resolved, That Senator Jerrold L. Seawell be and he is hereby elected President pro tempore of the Senate; that Joseph A. Beek be and he is hereby elected Secretary of the Senate; that Joseph F. Nolan be and he is hereby elected Sergeant-at-Arms of the Senate; that James Boyd Garrison be and he is hereby elected Minute Clerk of the Senate; that Rev. A. Raymond Grant be and he is hereby elected Chaplain of the Senate.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Resolution No. 2 adopted by the following vote :

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Fletcher, Foley, Garrison, Gordon, Hays, Holohan, Jespersen, Keating, Mayo, McBride, McCormack, Metzger, Mixter, Myhand, Nielsen, Parkman, Powers, Quinn, Rich, Seawell, Slater, Swing, and Wagy—30.

NOES—None.

Oath of Office Administered.

The newly elected officers of the Senate, Senator Jerrold L. Seawell, President pro tempore; Joseph A. Beek, Secretary; Joseph F. Nolan, Sergeant-at-Arms; James Boyd Garrison, Minute Clerk; and Rev. A. Raymond Grant, Chaplain, appeared at the bar of the Senate where the Constitutional oath of office was administered to them by Rolfe L. Thompson, Justice, Third District Court of Appeal, and they subscribed to the same.

Senate Resolution No. 3.

The following resolution was offered :

By Senator Deuel :

Resolved, That the Standing Rules of the Senate of the Fifty-third (First Extraordinary) Session as the same appear on pages 724 to 739, inclusive, of the Senate Journal of May 24, 1940, be and the same are hereby adopted as the Rules of the Senate for this Fifty-third (Fifth Extraordinary) Session.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Resolution No. 3 adopted by the following vote :

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Fletcher, Foley, Garrison, Gordon, Hays, Holohan, Jespersen, Keating, Mayo, McBride, McCormack, Metzger, Mixter, Myhand, Nielsen, Parkman, Powers, Quinn, Rich, Seawell, Slater, Swing, and Wagy—30.

NOES—None.

Senate Resolution No. 4.

The following resolution was offered :

By Senator Holohan :

Resolved, That the Standing Committees of the Senate, of the Fifty-third (Fourth Extraordinary) Session be and the same are hereby appointed committees of the Fifty-third (Fifth Extraordinary) Session.

Resolution read, and on motion of Senator Holohan adopted.

Senate Resolution No. 5.

The following resolution was offered:

By Senator Nielsen:

Resolved, That the President of the Senate appoint a Special Committee of three Senators to notify the Governor of the organization of the Senate for the Fifty-third (Fifth Extraordinary) Session and that the Senate is now ready to receive any communication he may have to make.

Resolution read, and on motion of Senator Nielsen adopted.

Appointment of Special Committee.

The President announced, in accordance with the above resolution, the appointment of Senators Nielsen, Garrison and DeLap.

Senate Resolution No. 6.

The following resolution was offered:

By Senator Jespersen:

Resolved, That the President of the Senate appoint a Special Committee of three Senators to notify the Assembly of the organization of the Senate for the Fifty-third (Fifth Extraordinary) Session and that the Senate is now duly organized and is ready to receive any communication it may have to make.

Resolution read, and on motion of Senator Jespersen adopted.

Appointment of Special Committee.

The President announced, in accordance with the above resolution, the appointment of Senators Jespersen, McCormack and Swing.

Senate Resolution No. 7.

The following resolution was offered:

By Senator Mixer:

Resolved, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate elected the following statutory officers of this Fifty-third (Fifth Extraordinary) Session:

<i>President pro tempore</i>	Jerrold L. Seawell
<i>Secretary of the Senate</i>	Joseph A. Beek
<i>Sergeant-at-Arms</i>	Joseph F. Nolan
<i>Minute Clerk</i>	James Boyd Garrison
<i>Chaplain</i>	A. Raymond Grant

Resolution read, and on motion of Senator Mixer adopted.

Senate Resolution No. 8.

The following resolution was offered:

By Senator Seawell:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage

due them by law, for attendance upon the Fifty-third (Fifth Extraordinary) Session:

Senators	County	Mileage	Total at five cents per mile
Biggar, George M.	Mendocino	468	\$23 40
Breed, Arthur H., Jr.	Alameda	178	8 90
Brown, Charles	Inyo	1,292	64 60
Collier, Randolph	Siskiyou	590	29 50
Crittenden, Bradford S.	San Joaquin	98	4 90
Cunningham, R. R.	Kings	428	21 40
DeLap, T. H.	Contra Costa	160	8 00
Deuel, Charles H.	Butte	228	11 40
Fletcher, Ed.	San Diego	1,146	57 30
Foley, John D.	Santa Clara	256	12 80
Garrison, J. C.	Stanislaus	164	8 20
Gordon, Frank L.	Napa	110	5 50
Hays, Ray W.	Fresno	338	16 90
Holohan, James R.	Santa Cruz	396	19 80
Jespersen, Chris N.	San Luis Obispo	666	33 30
Keating, Thomas F.	Marin	210	10 50
Kenny, Robert W.	Los Angeles	894	44 70
Mayo, Jesse M.	Calaveras	170	8 50
McBride, James J.	Ventura	980	49 00
McCormack, Thomas	Solano	124	6 20
Metzger, D. Jack	Tehama	286	14 30
Mixter, Frank M.	Tulare	432	21 60
Myhand, Peter P.	Merced	222	11 10
Parkman, Harry L.	San Mateo	238	11 90
Phillips, John	Riverside	1,094	54 70
Powers, Harold J.	Modoc	832	41 60
Quinn, Irwin T.	Humboldt	624	31 20
Rich, Wm. P.	Yuba	104	5 20
Seawell, Jerrold L.	Placer	108	5 40
Shelley, John F.	San Francisco	180	9 00
Slater, Herbert W.	Sonoma	180	9 00
Swing, Ralph E.	San Bernardino	1,016	50 80
Tickle, Edward H.	Monterey	474	23 70
Wagy, J. I.	Kern	638	31 90

Officers	County	Mileage	Total at ten cents per mile
Patterson, Ellis E., President	Los Angeles	894	\$89 40
Beek, J. A., Secretary	Orange	990	99 00
Nolan, Joseph F., Sergeant-at-Arms	Los Angeles	894	89 40
Garrison, J. B., Minute Clerk	Alameda	178	17 80

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Resolution No. 8 adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Fletcher, Foley, Gordon, Hays, Holohan, Keating, Mayo, McBride, Metzger, Mixter, Myhand, Parkman, Powers, Quinn, Rich, Seawell, Slater, and Wagy—25.

NOES—None.

Senate Resolution No. 9.

The following resolution was offered:

By Senator Powers:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to receipt to the Controller for warrants for members and officers of the Senate.

Resolution read, and on motion of Senator Powers adopted.

Message from the Assembly.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, December 2, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day elected the following statutory officers for the Fifty-third (Fifth Extraordinary) Session:

Hon. Gordon H. Garland	Speaker
Hon. Gardiner Johnson	Speaker pro tempore
Jack Carl Greenburg	Chief Clerk
David V. Oliver	Minute Clerk
Wilkie Ogg	Sergeant-at-Arms
Rev. Raymond Lull Bailey	Chaplain

JACK CARL GREENBURG, Chief Clerk of Assembly.
By C. W. BOOTH, Assistant Clerk.

Message from the Governor.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,

SACRAMENTO, December 2, 1940.

*To the Honorable Members of the Senate and Assembly
of the State of California.*

GREETINGS: It is proper upon the convening of this extraordinary session of the Legislature that I should briefly explain to you the subjects which I have placed before you for consideration and the reasons for their inclusion in the proclamation calling the session. Before doing so, I may state that the contents of the message which I sent to you this morning when you were sitting in your Fourth Extraordinary Session, which message was concerned with the necessity of taking action on various subjects prior to the next regular session, are applicable to the subjects of this new session.

The first item concerns clarification of the experience rating provisions of the Unemployment Insurance Act. "Experience Rating" is that provision of the act which, on the basis of favorable employment experience, grants a lower contribution rate to those employers whose experience indicates that a lower rate will be more nearly commensurate with benefit payments to their employees. This provision has been in our law in substantially its present form since the law's inception in 1935, and similar provisions will be found in the laws of many other States.

Under our present law the California Employment Commission is required, as of January 1, 1941, to classify employers with regard to their experience and to levy tax assessments at a rate lower than the general rate of 2.7 per cent if any employer has the required reserve in his bookkeeping account with the commission. The amendments will also assure employers of receiving the additional tax credit offset allowed under applicable sections of the Federal Internal Revenue Code.

Proper amendment at this time will cure apparent defects and clarify the law so as to provide the commission with the necessary machinery and with definite legislative instructions as to how the existing experience rating provisions are to be administered on January 1, 1941.

In considering this matter it should be understood that experience rating in unemployment insurance systems is in an experimental stage. There are many who contend that it has no place in the law. I, personally, and the commission as well, have some doubts as to the soundness of the entire "experience rating" principle. After having had an opportunity to observe actual experience in the administration of the provision, a recommendation may very well be made in the future that these provisions be eliminated entirely. However, at the present time it seems essential that these amendments should be adopted in order that the commission may proceed with the proper administration of the present law in accordance with its expressed legislative intent.

Several months ago it became necessary to make arrangements for the purchase of additional land near the San Luis Obispo Campsite of the National Guard to provide for the leasing to the Federal Government of the necessary area on which the Federal Government was to construct \$5,000,000 of barracks, storehouses and other facilities in connection with the training of the Guard. The improvements on the land will belong to the State when the present emergency is ended. At that time it was thought that it would be necessary to call a special session in order to get the necessary funds. But conferences with a number of the members of the Legislature ended in a plan whereby part of the necessary funds were provided from the Emergency Fund with the understanding that legislation should be passed at

the next special session to provide funds necessary to complete the purchase and to reimburse the Emergency Fund. A \$50,000 appropriation from the General Fund is needed to complete the purchase, and the sum of \$190,000 is needed to reimburse the Emergency Fund, which sum may be obtained by transferring \$110,000 of unneeded moneys from the support appropriations for the National Guard and appropriating \$80,000 from the General Fund. Thus a total new appropriation of only \$130,000 is needed.

Item No. 3 in the proclamation concerns legislation to enable the State to establish a State Guard, as authorized by Federal Law, in addition to the National Guard. The explanation of such legislation and the necessity therefor is contained in the attached copy of a letter from The Adjutant General.

Item No. 4 will permit the enactment of legislation to allow the City of San Francisco to lease portions of Treasure Island to the Federal Government or to the State for defense purposes. Representatives of the City of San Francisco have requested this legislation as the Navy Department has already requested the use of part of the island.

Item No. 5 was included in response to the request of a large number of members of the Legislature. I understand that one of the large life insurance companies has under consideration plans to invest some ten million dollars in a much needed moderate cost housing project, but that the insurance laws do not permit the investment of funds of insurance companies in real estate, except for their necessary office buildings. The reasons urged for this legislation are the defense housing needs and the unemployment in the building trades and allied industries. It would seem that an amendment of the law to permit an investment in a large moderate cost housing project would be proper because of such conditions, provided adequate standards and supervision be set up for the making of such investment. Such legislation should provide that the insurance companies investing in such projects must waive the right to set off against the amounts due from them for gross premium taxes, the amounts of the real estate taxes on such projects.

The next item, concerning a wind tunnel, simply will permit proposed legislation to allow the maintenance of a wind tunnel on the campus of San Diego State College for the study of problems relating to aircraft. I understand that Federal or private funds will completely provide for the erection and maintenance of the proposed wind tunnel, and that this will furnish testing equipment essential in the National Defense Program, and which will also be valuable as equipment used in the educational program of the college.

The seventh item is necessary for legislation to permit the counties of Solano or Contra Costa or the cities of Benicia or Martinez, or either of them, to operate the Martinez-Benicia Ferry. A committee of representatives of various communities interested in the ferry, which committee included several members of the Legislature, requested that this item be included. Immediate action is necessary in order to come within certain time limitations involved in the transfer of the Antioch and Carquinez Bridges.

The eighth item will authorize legislation necessary in order that the County of Kern may complete a transfer of certain of its real property to the Federal Government to be used as the site of a post office, in exchange for the present post-office building, which will be used by the county for a public library.

Item No. 9 is placed before you to authorize legislation which will permit a conveyance to be made to the Federal Government by the city of Santa Barbara of a small plot of ground for use as a naval armory. The land is the result of accretions on tidelands granted to the State by the City of Santa Barbara for specified purposes, and in order to insure the validity of a grant from the City of Santa Barbara further legislation is necessary.

The last item is required to enable the State to exchange a small parcel of land belonging to the State and under the jurisdiction of the National Guard, for another parcel of land necessary for a right of way for the construction of a railroad spur track from the right of way of the S. P. R. R. for transporting building and military supplies to the National Guard Training Camp at San Luis Obispo.

Respectfully submitted,

CULBERT L. OLSON,
Governor of California.

CLO:a

STATE OF CALIFORNIA, DIVISION OF MILITARY AFFAIRS,
SACRAMENTO, November 30, 1940.

Hon. Culbert L. Olson, Governor of California,
State Capitol, Sacramento, California.

MY DEAR GOVERNOR OLSON: It is requested that immediate consideration be given to amending the Military and Veterans Code of the State of California to enable the organization of units to be known as the State Guard. This is an urgent matter and is required by reason of the following facts:

a. The entire National Guard of the State of California will have been inducted into Federal service within a short time, whereafter it will not be available for local emergencies.

b. The National Defense Act prohibits the organization of units by States other than the federally recognized National Guard in time of peace. However, Congress has recently passed a law which authorizes the organization of a State Guard during such time as the National Guard of any State is in active Federal service in time of peace.

c. The execution of this law in any State is contingent upon passage by the State of necessary legislation where the State Military Code is not sufficient.

d. The Military Code of California is insufficient in that it does not provide for any organization other than the federally recognized National Guard.

In view of the foregoing, it is necessary to make certain amendments to the Military Code. Several proposed revisions accomplishing this have already been forwarded to you.

Very truly yours,

R. E. MITTELSTAEDT,
Brigadier General,
The Adjutant General.

Messages from the Governor.

The following messages from the Governor were received and read, and ordered referred to Committee on Rules:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,

SACRAMENTO, December 2, 1940.

*To the Honorable Members of the Senate,
State Capitol, Sacramento, California.*

GREETINGS: Will the Senate advise and consent to the following appointments to the State Board of Education:

Lois E. Souther, Los Angeles, vice Eleanor Lloyd Smith, appointment not confirmed, for the term ending January 15, 1943;

Alice H. Dougherty, Oakland, vice self, term expired, for the term ending January 15, 1944;

James M. Tadlock, Eureka, vice Henry S. Grossman, appointment not confirmed, for the term ending January 15, 1944.

Very truly yours,

CULBERT L. OLSON,
Governor of California.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,

SACRAMENTO, December 2, 1940.

*To the Honorable Members of the Senate,
State Capitol, Sacramento, California.*

GREETINGS: Will the Senate advise and consent to the following appointments to the State Board of Prison Directors:

Chris Merchant, San Francisco, vice John D. McGilvray, removed, for the term ending January 12, 1944;

Dr. W. Earle Smith, San Francisco, vice Ed L. Abbott, removed, for the term ending January 12, 1942;

Hugh Lovett Spears, Grapevine, vice T. N. Harvey, removed, for the term ending January 12, 1948;

George A. Briggs, Los Angeles, vice A. R. O'Brien, removed, for the term ending January 12, 1946.

Very truly yours,

CULBERT L. OLSON,
Governor of California.

Privilege of Floor of Senate Extended.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Assemblyman-elect and Mrs. Frank C. Russell.

On request of Senator Seawell, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Senators-elect H. E. Dillinger, C. C. Ward and George Luckey.

Introduction, First Reading and Reference of Bills.

The following bills were introduced :

Senate Bill No. 1: By Senator Seawell—An act making an appropriation for the expenses of the Senate for the Fifth Extraordinary Session of the Fifty-third Session of the Legislature, this act to take effect immediately.

Senate Bill No. 1 read first time, and referred to Committee on Rules.

Senate Bill No. 2: By Senators Jespersen, Quinn and Hays—An act to authorize the exchange of certain lands of the State in the County of San Luis Obispo for certain other lands required for armory purposes as defined in the Military and Veterans Code, and declaring the urgency thereof.

Senate Bill No. 2 read first time, and referred to Committee on Governmental Efficiency.

Senate Bill No. 3: By Senators Quinn and Hays—An act to amend Sections 253, 254, 255 and 256 of the Military and Veterans Code, relating to the State Guard, to take effect immediately.

Senate Bill No. 3 read first time, and referred to Committee on Governmental Efficiency.

Senate Bill No. 4: By Senators McCormack and DeLap—An act to add Sections 862c and 862d to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the acquisition and operation of ferries by cities of the sixth class, either alone or jointly with other cities of the same class or counties, to take effect immediately.

Senate Bill No. 4 read first time, and referred to Committee on Governmental Efficiency.

Senate Bill No. 5: By Senator Fletcher—An act to add Sections 5.11 and 5.113 to the School Code, relating to the State colleges; declaring the urgency thereof, and providing that this act shall take effect immediately.

Senate Bill No. 5 read first time, and referred to Committee on Governmental Efficiency.

Senate Bill No. 6: By Senators Jespersen, Quinn and Hays—An act making an additional appropriation to The Adjutant General and the California National Guard in augmentation of the appropriation made by Item 133 of the Budget Act of 1939, for the purpose therein specified, declaring the urgency hereof, and providing that this act shall take effect immediately.

Senate Bill No. 6 read first time, and referred to Committee on Finance.

Senate Bill No. 7: By Senators Jespersen, Quinn and Hays—An act making an additional appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, to be expended as provided therein, declaring the urgency hereof, and providing that this act shall take effect immediately.

Senate Bill No. 7 read first time, and referred to Committee on Finance.

Report of Standing Committee.

The following report of standing committee was received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, December 2, 1940.

MR. PRESIDENT: Your Committee on Rules, to which was referred:

Senate Bill No. 1—An act making an appropriation for the expenses of the Senate for the Fifth Extraordinary Session of the Fifty-third Session of the Legislature, this act to take effect immediately;
Has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—5.

SEAWELL, Chairman.

Resolution.

The following resolution was offered:

By Senator Seawell:

Resolved, That Senate Bill No. 1 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Denel, Fletcher, Foley, Garrison, Gordon, Hays, Holohan, Jespersen, Keating, Kenny, Mayo, McBride, McCormack, Metzger, Mixter, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, Swing, and Wagy—33.

NOES—None.

Whereupon, the President declared the provisions of Section 15, Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bill No. 1.

Consideration of Senate Bill No. 1.

Senate Bill No. 1—An act making an appropriation for the expenses of the Senate for the Fifth Extraordinary Session of the Fifty-third Session of the Legislature, this act to take effect immediately.

Bill read second time.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1 passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Holohan, Jespersen, Keating, Kenny, Mayo, McCormack, Metzger, Mixter, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, Swing, Tickle, and Wagy—32.

NOES—None.

Title read and approved.

Senate Bill No. 1 ordered transmitted to the Assembly.

Reports of Special Committees.

The following reports of Special Committees were received:

Senators Nielsen, Garrison and DeLap, the Special Committee appointed to wait upon the Governor and inform him of the organization of the Senate, reported they had performed their duty.

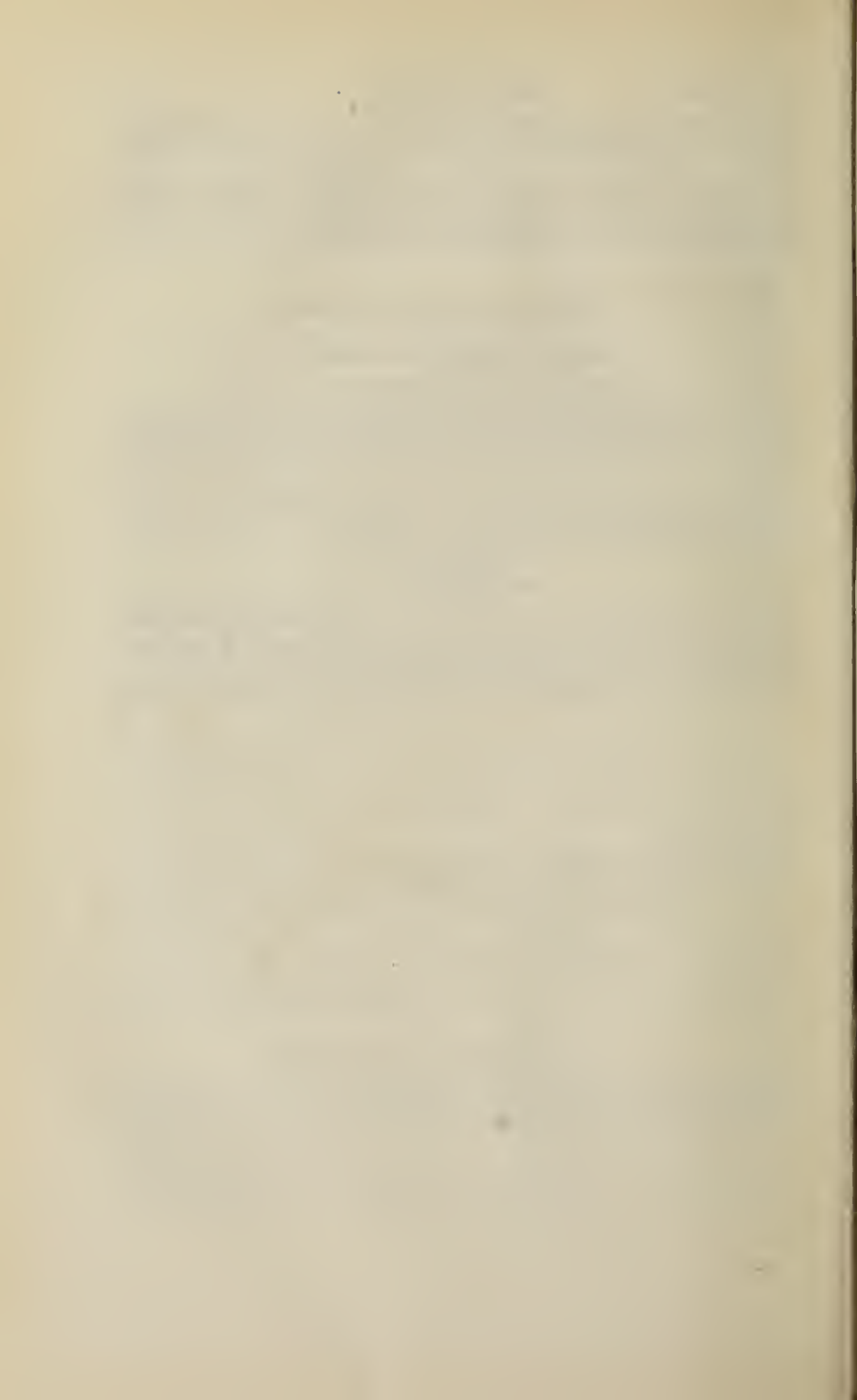
Also:

Senators Jespersen, McCormack and Swing, the Special Committee appointed to notify the Assembly of the organization of the Senate, reported that they had performed their duty.

Adjournment.

At three o'clock and forty minutes p.m., on motion of Senator Seawell, the President of the Senate declared the Senate adjourned, until ten o'clock and thirty minutes a.m., Tuesday, December 3, 1940.

JAMES BOYD GARRISON, Minute Clerk.



CALIFORNIA LEGISLATURE
FIFTY-THIRD (FIFTH EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

IN SENATE

SENATE CHAMBER, SACRAMENTO,
Tuesday, December 3, 1940.

The Senate met at ten o'clock and thirty minutes a.m.

Hon. Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Roll Call.

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Holohan, Jespersen, Kenny, Mayo, McBride, Metzger, Mixer, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, Swing, Tickle, and Wagy—32.

Quorum present.

Prayer.

Prayer was offered by the Chaplain, Rev. A. Raymond Grant.

Reading of the Journal.

During the reading of the Journal of Monday, December 2, 1940, the further reading was dispensed with, on motion of Senator Slater.

Communication.

The following communication was received, read, and ordered printed in the Journal:

POSTAL TELEGRAPH

SAN FRANCISCO, CALIFORNIA, December 2, 1940.

Joseph Beek,

Senate Chamber, State Capitol, Sacramento.

Have been confined to bed with flu. Doctor's orders are that I not attend session. Please have me excused account illness. Regards.

JACK SHELLEY.

Leave of Absence.

Senator Shelley was, on motion of Senator Slater, granted leave of absence for this day.

Report of Standing Committee.

The following report of standing committee was received and read:

On Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, December 3, 1940.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 2—An act to authorize the exchange of certain lands of the State in the county of San Luis Obispo for certain other lands required for armory purposes as defined in the Military and Veterans Code, and declaring the urgency thereof;

Senate Bill No. 3—An act to amend Sections 253, 254, 255 and 256 of the Military and Veterans Code, relating to the State Guard, to take effect immediately;

Senate Bill No. 4—An act to add Sections 862c and 862d to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the acquisition and operation of ferries by cities of the sixth class, either alone or jointly with other cities of the same class or counties, to take effect immediately;

Senate Bill No. 5—An act to add Sections 5.11 and 5.113 to the School Code, relating to the State colleges; declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7; absent—4.

HAYS, Chairman.

Resolution.

The following resolution was offered:

By Senator Seawell:

Resolved, That Senate Bills Nos. 2, 3, 4 and 5 present a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Denei, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Kenny, Mayo, McBride, Metzger, Mixer, Myhaud, Nielsen, Powers, Quinn, Seawell, Slater, Swing, Tickle, and Wagdy—28.

NOES—None.

Whereupon, the President declared the provisions of Section 15, Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bills Nos. 2, 3, 4 and 5.

Consideration of Senate Bill No. 2.

Senate Bill No. 2—An act to authorize the exchange of certain lands of the State in the county of San Luis Obispo for certain other lands required for armory purposes as defined in the Military and Veterans Code, and declaring the urgency thereof.

Bill read second time.

Bill read third time.

Urgency Clause.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California and as such shall take effect immediately. The following is a statement of the facts constituting such necessity:

In aid of National defense and in compliance with the request of the United States Government, the parcel of land herein secondly described as belonging to said Nancy Cheda is immediately required for the construction of a railroad spur track from the right of way of the Southern Pacific Railroad for transporting building and military and other supplies and equipment to the National Guard Training Camp at San Luis Obispo, California, in order to complete said training camp for training mobilization purposes by January 1, 1941.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Holohan, Jespersen, Mayo, McBride, Metzger, Mixter, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Seawell, Slater, Swing, Tickle, and Wagy—29.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 2 passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Holohan, Jespersen, Kenny, Mayo, McBride, Metzger, Mixter, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, Swing, Tickle, and Wagy—32.

NOES—None.

Title read and approved.

Senate Bill No. 2 ordered transmitted to the Assembly.

Consideration of Senate Bill No. 3.

Senate Bill No. 3—An act to amend Sections 253, 254, 255 and 256 of the Military and Veterans Code, relating to the State Guard, to take effect immediately.

Bill read second time.

Bill read third time.

Urgency Clause.

SEC. 5. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California and as such shall take effect immediately. The following is a statement of the facts constituting such necessity:

An emergency exists in the United States and the State of California in providing adequate armies and facilities for defense. The National Guard which has heretofore been available to the State as a defense organization is being called into the service of the United States and it is necessary that provision be made to make the unorganized militia more readily available for defense in case of necessity. A part of the National Guard of California has already been called into Federal service and it is necessary that provision be immediately made to make available part of the unorganized militia and in order to provide necessary troops and means of defense, and it is therefore necessary that this act take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Holohan, Jespersen, Kenny, Mayo,

McBride, Metzger, Mixter, Myhand, Nielsen, Parkman, Powers, Quinn, Rich, Seawell, Slater, Swing, and Wagy—29.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 3 passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Denel, Fletcher, Foley, Garrison, Gordon, Hays, Holohan, Jespersen, Kenny, Mayo, McBride, Metzger, Mixter, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, Swing, Tickle, and Wagy—32.

NOES—None.

Amendment to the Title.

The following amendment to the title of Senate Bill No. 3, offered by Senator Quinn, was read and adopted:

Amendment No. 1.

In the title of the printed bill, strike out all of line 1, and insert in lieu thereof the following: "An act to amend Sections 553, 554, 555 and 556 of the Mili-".

Title read and approved, as amended.

Senate Bill No. 3 ordered transmitted to the Assembly.

Recess.

At eleven o'clock a.m., on motion of Senator Seawell, the President of the Senate declared reecess until eleven o'clock and ten minutes a.m.

Reconvened.

At eleven o'clock and ten minutes a.m., the Senate reconvened.

Lieutenant Governor Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Consideration of Senate Bill No. 4.

Senate Bill No. 4—An act to add Sections 862e and 862d to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the acquisition and operation of ferries by cities of the sixth class, either alone or jointly with other cities of the same class or counties, to take effect immediately.

Bill read second time.

Bill read third time.

Urgency Clause.

SEC. 3. This act is hereby declared to be an urgency measure for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the State Constitution and shall therefore go into immediate effect. A statement constituting such necessity is as follows:

Under the terms of the agreement leading to the purchase by the State of the Carquinez Bridge, the seller is obligated to transfer its rights in a ferry operated by it between Benicia and Martinez to any city or county between or within which the ferry operates. This act is designed to implement and facilitate such designation by authorizing the cities and counties affected to acquire and operate ferries for operation over waters within or adjacent to their territorial limits. Until the authority is granted it is possible that the present owner of the ferry may abandon its operation thereof and relinquish existing franchises therefor. Should this happen, it would be impossible for many years to operate a new ferry in the same vicinity, in view of Section 12 of the California Toll Bridge Authority Act, to the detriment

of the public interest and welfare. It is therefore a matter of extreme urgency that this act take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Biggar, Breed, Collier, Crittenden, Cunningham, DeLap, Fletcher, Foley, Garrison, Gordon, Hays, Holohan, Jespersen, Kenny, Mayo, McBride, Metzger, Mixer, Myhand, Nielsen, Parkman, Phillips, Powers, Rich, Seawell, Slater, Swing, Tickle, and Wagy—29.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 4 passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Holohan, Jespersen, Kenny, Mayo, Metzger, Mixer, Myhand, Nielsen, Parkman, Phillips, Powers, Rich, Seawell, Slater, Swing, Tickle, and Wagy—30.

NOES—None.

Title read and approved.

Senate Bill No. 4 ordered transmitted to the Assembly.

Leave of Absence.

Senator McCormack was, on motion of Senator DeLap, granted leave of absence for this day.

Consideration of Senate Bill No. 5.

Senate Bill No. 5—An act to add Sections 5.11 and 5.113 to the School Code, relating to the State colleges; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Urgency Clause.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1, Article IV of the Constitution, and shall therefore go into immediate effect.

A statement of the facts constituting such necessity is as follows:

The construction and maintenance of a wind tunnel and necessary appurtenances in the immediate vicinity of the industries manufacturing aircraft and aircraft parts located in and near the city of San Diego is of immediate and paramount importance to the National Defense Program. Under existing conditions, the campus of the San Diego State College is the location best suited for such wind tunnel and appurtenances. Unless this act takes effect immediately, the National Defense Program will be adversely affected to a very appreciable degree.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Holohan, Jespersen, Keating, Kenny, Mayo, Metzger, Mixer, Nielsen, Parkman, Phillips, Powers, Rich, Seawell, Slater, Swing, Tickle, and Wagy—30.

NOES—None.

Recess.

At eleven o'clock and thirty minutes a.m., on motion of Senator Seawell, the President of the Senate declared recess until twelve o'clock noon.

Reconvened.

At twelve o'clock noon, the Senate reconvened.

Lieutenant Governor Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Messages from the Assembly.

The following messages from the Assembly were received and read :

ASSEMBLY CHAMBER, SACRAMENTO, December 3, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 1—An act making an appropriation for the expenses of the Senate for the Fifth Extraordinary Session of the Fifty-third Session of the Legislature, this act to take effect immediately.

JACK CARL GREENBURG, Chief Clerk of Assembly.
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 1 ordered to enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, December 3, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 3—An act to add Sections 5.11 and 5.113 to the School Code, relating to the State colleges; declaring the urgency thereof, and providing that this act shall take effect immediately;

Assembly Bill No. 4—An act to add Article 2.5, comprising Sections 1160.1 to 1160.9, inclusive, to Chapter 2, Part 2, Division 1 of the Insurance Code, relating to investments in and taxation on comprehensive moderate cost housing projects (including apartments, tenements and dwelling houses, and accommodations for retail stores, shops, offices, and other community service and recreational facilities connected therewith) by insurers, to take effect immediately;

Assembly Bill No. 6—An act to add Section 4 to "An act granting certain tide-lands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, authorizing the conveyance of certain lands to the United States Government, or to any agency thereof, to take effect immediately.

JACK CARL GREENBURG, Chief Clerk of Assembly.
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 3 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 4 read first time, and referred to Committee on Finance.

Assembly Bill No. 6 read first time, and referred to Committee on Governmental Efficiency.

ASSEMBLY CHAMBER, SACRAMENTO, December 3, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 1—An act to amend the title of "An act granting certain tide-lands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," approved June 13, 1933, and to add a new section to be numbered Section 5 thereto authorizing the City and County of San Francisco to permit the use of said lands, or any part thereof, by the United States of America for military or naval purposes, and providing that this act shall take effect immediately;

Assembly Bill No. 2—An act to add Section 4041.21a to the Political Code, relating to the powers of boards of supervisors, to take effect immediately.

JACK CARL GREENBURG, Chief Clerk of Assembly.
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 1 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 2 read first time, and referred to Committee on Governmental Efficiency.

Recess.

At twelve o'clock and fifteen minutes p.m., on motion of Senator Seawell, the President of the Senate declared recess until four o'clock and thirty minutes p.m.

Reconvened.

At four o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Message from the Assembly.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, December 3, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Assembly Bill No. 7—An act making an appropriation for the expenses of the Assembly for the Fifth Extraordinary Session of the Fifty-third Session of the Legislature, this act to take effect immediately.

JACK CARL GREENBURG, Chief Clerk of Assembly.
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 7 read first time, and ordered held at desk without reference to committee.

Report of Standing Committee.

The following report of standing committee was received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, December 3, 1940.

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 1—An act making an appropriation for the expenses of the Senate for the Fifth Extraordinary Session of the Fifty-third Session of the Legislature, this act to take effect immediately;

And reports that the same has been correctly enrolled and presented to the Governor on the third day of December, 1940, at four o'clock p.m.

SEAWELL, Chairman.

Recess.

At four o'clock and thirty-five minutes p.m., on motion of Senator Seawell, the President of the Senate declared recess until five o'clock and thirty minutes p.m.

Reconvened.

At five o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Report of Standing Committee.

The following report of standing committee was received and read :

On Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, December 3, 1940.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 1—An act to amend the title of "An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," approved June 13, 1933, and to add a new section to be numbered Section 5 thereto authorizing the City and County of San Francisco to permit the use of said lands, or any part thereof, by the United States of America for military or naval purposes, and providing that this act shall take effect immediately:
Has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—11.

HAYS, Chairman.

Resolution.

The following resolution was offered:

By Senator Seawell:

Resolved, That Assembly Bills Nos. 1 and 7 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Denel, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Keating, Keeny, Mayo, McBride, McCormack, Metzger, Mixer, Myhand, Nielsen, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing, and Wagy—32.

NOES—None.

Whereupon, the President declared the provisions of Section 15, Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bills Nos. 1 and 7.

Consideration of Assembly Bill No. 1.

Assembly Bill No. 1—An act to amend the title of "An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," approved June 13, 1933, and to add a new section to be numbered Section 5 thereto authorizing the City and County of San Francisco to permit the use of said lands, or any part thereof, by the United States of America for military

or naval purposes, and providing that this act shall take effect immediately.

Bill read second time.

Bill read third time.

Urgency Clause.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California, and shall therefore go into effect immediately. The following is a statement of the facts constituting such necessity:

The unsettled condition of world affairs has resulted in a situation in this country that can only be met by a prompt and widespread military and naval armament program and by taking all possible measures to secure the peace and safety of this Nation. San Francisco Bay is a key harbor on the Pacific Coast and will be the center of much of the activity in connection with this program. A portion of the land heretofore granted by the State to the City and County of San Francisco is needed by the United States Government for purposes in connection with this program. In order that the program of armament and protection will not be delayed and that adequate provision for the preservation of the peace of this country can be made as promptly as possible it is essential that this act take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Ducl, Fletcher, Foley, Garrison, Hays, Jespersen, Keating, Kenny, Mayo, McBride, McCormack, Metzger, Mixer, Myhand, Nielsen, Parkman, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing, and Wagy—31.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1 passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Ducl, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Keating, Kenny, McBride, McCormack, Metzger, Mixer, Myhand, Nielsen, Parkman, Phillips, Powers, Rich, Seawell, Shelley, Slater, Swing, and Wagy—31.

NOES—None.

Title read and approved.

Assembly Bill No. 1 ordered transmitted to the Assembly.

Consideration of Assembly Bill No. 7.

Assembly Bill No. 7—An act making an appropriation for the expenses of the Assembly for the Fifth Extraordinary Session of the Fifty-third Session of the Legislature, this act to take effect immediately.

Bill read second time.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 7 passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Ducl, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Keating, Kenny,

McBride, McCormack, Metzger, Mixter, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing, and Wagy—31.

NOES—None.

Title read and approved.

Assembly Bill No. 7 ordered transmitted to the Assembly.

Consideration of Senate Bill No. 5 (Resumed).

Senate Bill No. 5—An act to add Sections 5.11 and 5.113 to the School Code, relating to the State colleges; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 5 passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Denel, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Keating, Kenny, Mayo, McBride, McCormack, Metzger, Mixter, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing, and Wagy—33.

NOES—None.

Title read and approved.

Senate Bill No. 5 ordered transmitted to the Assembly.

Introduction, First Reading and Reference of Bills.

The following bill was introduced:

Senate Bill No. 8: By Senator Shelley—An act to amend the title of "An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," approved June 13, 1933, and to add a new section to be numbered Section 5 thereto authorizing the City and County of San Francisco to permit the use of said lands, or any part thereof, by the United States of America for military or naval purposes, and providing that this act shall take effect immediately.

Senate Bill No. 8 read first time, and referred to Committee on Governmental Efficiency.

Adjournment.

At five o'clock and forty minutes p.m., on motion of Senator Seawell, the President of the Senate declared the Senate adjourned, until ten o'clock and thirty minutes a.m., Wednesday, December 4, 1940.

JAMES BOYD GARRISON, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (FIFTH EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

IN SENATE

SENATE CHAMBER, SACRAMENTO,

Wednesday, December 4, 1940.

The Senate met at ten o'clock and thirty minutes a.m.

Hon. Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Roll Call.

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Mayo, McBride, McCormack, Metzger, Mixter, Myhand, Parkman, Powers, Quinn, Rich, Seawell, Slater, Swing, and Waggy—28.

Quorum present.

Prayer.

Prayer was offered by the Chaplain, Rev. A. Raymond Grant.

Reading of the Journal.

During the reading of the Journal of Tuesday, December 3, 1940, the further reading was dispensed with, on motion of Senator Seawell.

Report of Standing Committee.

The following report of standing committee was received and read:

On Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, December 4, 1940.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Assembly Bill No. 2—An act to add Section 4041.21a to the Political Code, relating to the powers of boards of supervisors, to take effect immediately;

Assembly Bill No. 3—An act to add Sections 5.11 and 5.113 to the School Code, relating to the State colleges; declaring the urgency thereof, and providing that this act shall take effect immediately;

Assembly Bill No. 6—An act to add Section 4 to "An act granting certain tide-lands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, authorizing the conveyance of certain lands to the United States Government, or to any agency thereof, to take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

HAYS, Chairman.

Second Reading of Assembly Bills.

Assembly Bill No. 2—An act to add Section 4041.21a to the Political Code, relating to the powers of boards of supervisors, to take effect immediately.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 3—An act to add Sections 5.11 and 5.113 to the School Code, relating to the State colleges; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 6—An act to add Section 4 to "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, authorizing the conveyance of certain lands to the United States Government, or to any agency thereof, to take effect immediately.

Bill read second time, and ordered on file for third reading.

Resolution.

The following resolution was offered:

By Senator Seawell:

Resolved, That Assembly Bills Nos. 2, 3 and 6 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the third time, and placed upon their passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Cunningham, DeLap, Denel, Fletcher, Foley, Gordon, Hays, Jespersen, Keating, Kenny, Mayo, McBride, McCormack, Mixter, Myhand, Nielsen, Parkman, Phillips, Powers, Rich, Seawell, Slater, Swing and Wagy—28.

NOES—None.

Whereupon, the President declared the provisions of Section 15, Article IV of the Constitution suspended for the purpose of considering, at this time, Assembly Bills Nos. 2, 3 and 6.

Consideration of Assembly Bill No. 2.

Assembly Bill No. 2—An act to add Section 4041.21a to the Political Code, relating to the powers of boards of supervisors, to take effect immediately.

Bill read third time.

Urgency Clause.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution, and as such it shall take effect immediately.

The following is a statement of the facts constituting such necessity:

In these critical times all facilities must be made available to permit the most effective handling of the United States mails. At the present time the United States Post Office in the city of Bakersfield is housed in an old building which is definitely inadequate. The county of Kern owns idle property which will afford a suitable site for a new post office and for which the United States Government is willing to exchange property.

This legislation will enable the United States to obtain the site on which it is ready to erect a new post office which will adequately serve the needs of the community and provide for the more effective handling of the United States mail in that area, will permit construction work to go ahead while the United States still has it in mind, and will provide employment for a large number of individuals many of whom are now on relief rolls. It is therefore necessary in the interest of the public peace, health, safety and welfare that this act be immediately effective.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Cunningham, DeLap, Deuel, Fletcher, Foley, Gordon, Hays, Jespersen, Keating, Kenny, Mayo, McBride, McCormack, Mixter, Myhand, Nielsen, Parkman, Phillips, Powers, Rich, Seawell, Slater, Swing, and Wagy—28.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 2 passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Keating, Kenny, Mayo, McBride, McCormack, Mixter, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, Swing, and Wagy—31.

NOES—None.

Title read and approved.

Assembly Bill No. 2 ordered transmitted to the Assembly.

Consideration of Assembly Bill No. 3.

Assembly Bill No. 3—An act to add Sections 5.11 and 5.113 to the School Code, relating to the State colleges; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect.

A statement of the facts constituting such necessity is as follows:

The construction and maintenance of a wind tunnel and necessary appurtenances in the immediate vicinity of the industries manufacturing aircraft and aircraft parts located in and near the city of San Diego is of immediate and paramount importance to the national defense program. Under existing conditions, the campus of the San Diego State College is the location best suited for such wind tunnel and appurtenances. Unless this act takes effect immediately, the national defense program will be adversely affected to a very appreciable degree.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Keating, Kenny, McBride, McCormack, Mixer, Myhand, Nielsen, Parkman, Phillips, Powers, Rich, Seawell, Slater, Swing, and Wagy—29.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 3 passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Keating, Mayo, McBride, McCormack, Mixer, Myhand, Nielsen, Parkman, Phillips, Powers, Rich, Seawell, Slater, Swing, and Wagy—29.

NOES—None.

Title read and approved.

Assembly Bill No. 3 ordered transmitted to the Assembly.

Consideration of Assembly Bill No. 6.

Assembly Bill No. 6—An act to add Section 4 to "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, authorizing the conveyance of certain lands to the United States Government, or to any agency thereof, to take effect immediately.

Bill read third time.

Urgency Clause.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California, and shall therefore go into effect immediately. The following is a statement of the facts constituting such necessity:

The unsettled condition of world affairs has resulted in a situation in this country that can only be met by a prompt and widespread military and naval armament program and by taking all possible measures to secure the peace and safety of this Nation. A portion of the land heretofore granted by the State to the city of Santa Barbara is needed by the United States Government for purposes in connection with this program. In order that the program of armament and protection will not be delayed and that adequate provision for the preservation of the peace of this country can be made as promptly as possible it is essential that this act take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Keating, Mayo, McBride, McCormack, Mixer, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, Swing, and Wagy—30.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 6 passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Keating, Kenny, Mayo,

McBride, McCormack, Mixter, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, Swing, Tickle, and Wagy—32.
NAES—None.

Title read and approved.

Assembly Bill No. 6 ordered transmitted to the Assembly.

Reports of Standing Committee.

The following reports of standing committee were received and read:

On Finance.

SENATE CHAMBER, SACRAMENTO, December 3, 1940.

MR. PRESIDENT: Your Committee on Finance, to which was referred:

Senate Bill No. 6—An act making an additional appropriation to The Adjutant General and the California National Guard in augmentation of the appropriation made by Item 133 of the Budget Act of 1939, for the purpose therein specified, declaring the urgency hereof, and providing that this act shall take effect immediately;

Senate Bill No. 7—An act making an additional appropriation to the emergency fund specified in Item 212 of the Budget Act of 1939, to be expended as provided therein, declaring the urgency hereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—9; absent—2.

TICKLE, Chairman.

SENATE CHAMBER, SACRAMENTO, December 3, 1940.

MR. PRESIDENT: Your Committee on Finance, to which was referred:

Assembly Bill No. 4—An act to add Article 2.5, comprising Sections 1160.1 to 1160.9, inclusive, to Chapter 2, Part 2, Division 1 of the Insurance Code, relating to investments in and taxation on comprehensive moderate cost housing projects (including apartments, tenements and dwelling houses, and accommodations for retail stores, shops, offices, and other community service and recreational facilities connected therewith) by insurers, to take effect immediately;

Has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—9; absent—2.

TICKLE, Chairman.

Second Reading of Assembly Bills.

Assembly Bill No. 4—An act to add Article 2.5, comprising Sections 1160.1 to 1160.9, inclusive, to Chapter 2, Part 2, Division 1 of the Insurance Code, relating to investments in and taxation on comprehensive moderate cost housing projects (including apartments, tenements and dwelling houses, and accommodations for retail stores, shops, offices, and other community service and recreational facilities connected therewith) by insurers, to take effect immediately.

Bill read second time, and ordered on file for third reading.

Second Reading of Senate Bills.

Senate Bill No. 6—An act making an additional appropriation to The Adjutant General and the California National Guard in augmentation of the appropriation made by Item 133 of the Budget Act of 1939, for the purpose therein specified, declaring the urgency hereof, and providing that this act shall take effect immediately.

Bill read second time, ordered to engrossment, and on file for third reading.

Senate Bill No. 7—An act making an additional appropriation to the emergency fund specified in Item 212 of the Budget Act of 1939, to be expended as provided therein, declaring the urgency hereof, and providing that this act shall take effect immediately.

Bill read second time, ordered to engrossment, and on file for third reading.

Resolution.

The following resolution was offered:

By Senator Seawell:

Resolved, That Assembly Bill No. 4 and Senate Bills Nos. 6 and 7 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the third time, and placed upon their passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Gordon, Hays, Jespersen, Kenting, Kenny, Mayo, McBride, McCormack, Mixer, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, Swing, Tickle, and Wagy—31.

NOES—None.

Whereupon, the President declared the provisions of Section 15, Article IV of the Constitution suspended for the purpose of considering, at this time, Senate Bills Nos. 6 and 7 and Assembly Bill No. 4.

Recess.

At eleven o'clock a.m., on motion of Senator Seawell, the President of the Senate declared recess until eleven o'clock and forty-five minutes a.m.

Reconvened.

At eleven o'clock and forty-five minutes a.m., the Senate reconvened. Lieutenant Governor Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Third Reading of Senate Bills.

Senate Bill No. 6—An act making an additional appropriation to The Adjutant General and the California National Guard in augmentation of the appropriation made by Item 133 of the Budget Act of 1939, for the purpose therein specified, declaring the urgency hereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The national emergency resulting in the mobilization of the California National Guard and the induction of numerous civilians into military service for training purposes has imposed severe and unanticipated burdens upon the National Guard facilities and has necessitated the immediate expansion and development thereof. It is necessary to provide immediately for additional training facilities and for

housing of large numbers of men on military duty. It is therefore necessary that this measure take immediate effect in order to fulfill the obligations of the State under the National Training Program and so that this program will not be unduly delayed or impeded.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Crittenden, Cunningham, DeLap, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Keating, Kenny, McCormack, Metzger, Mixer, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Seawell, Shelley, Slater, Swing, Tickle, and Wagy—29.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 6 passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Keating, Kenny, Mayo, McBride, McCormack, Metzger, Mixer, Myhand, Nielsen, Phillips, Quinn, Rich, Seawell, Shelley, Slater, Swing, and Wagy—30.

NOES—None.

Title read and approved.

Senate Bill No. 6 ordered transmitted to the Assembly.

Senate Bill No. 7—An act making an additional appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, to be expended as provided therein, declaring the urgency hereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The inauguration of the National Defense Program in this State has resulted in large and unanticipated demands upon the Emergency Fund to augment normal appropriations for The Adjutant General and the California National Guard, resulting in a reduction of the money available for emergencies and contingencies that may arise during the remainder of the ninety-second fiscal year to such a point that the public peace, health and safety of the State might be seriously endangered because of lack of funds to meet emergencies which may reasonably be anticipated. It is therefore necessary that this measure take effect immediately in order that additional moneys may be made available without delay for the effective conduct of the business of the State.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Keating, Kenny, Mayo, McBride, McCormack, Metzger, Mixer, Myhand, Nielsen, Quinn, Rich, Seawell, Shelley, Slater, Swing, and Wagy—29.

NOES—Senator Phillips—1.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 7 passed by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Keating, Kenay, Mayo, McBride, McCormack, Metzger, Mixer, Myhand, Nielsen, Quinn, Rich, Seawell, Shelley, Slater, Swing, and Wagye—29.

NOES—Senator Phillips—1.

Title read and approved.

Senate Bill No. 7 ordered transmitted to the Assembly.

Statement.

The following statement, offered by Senator Phillips, was ordered printed in the Journal:

The discussion on Senate Bill No. 7 was closed before one feature was discussed and for that reason I voted "no" and asked permission to place the following statement in the Journal. I have no criticism of the purpose for which the money was spent but I contend that we should have had an accompanying report on the condition of the "Emergency Fund" to discover why an original fund of \$1,750,000 has been so depleted that when a genuine emergency presented itself, there was not \$80,000 left in the fund.

SENATOR PHILLIPS.

Third Reading of Assembly Bills.

Assembly Bill No. 4—An act to add Article 2.5, comprising Sections 1160.1 to 1160.9, inclusive, to Chapter 2, Part 2, Division 1 of the Insurance Code, relating to investments in and taxation on comprehensive moderate cost housing projects (including apartments, tenements and dwelling houses, and accommodations for retail stores, shops, offices, and other community service and recreational facilities connected therewith) by insurers, to take effect immediately.

Bill read third time.

Urgency Clause.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1, Article IV, of the Constitution of the State of California, and shall take effect immediately.

The following is a statement of facts constituting such necessity:

Unemployment and the housing shortage arising out of the requirements of National Defense have developed alarming economic and social conditions in this State which have created an immediate need for comprehensive moderate cost housing projects. The immediate adoption of this act will enable comprehensive moderate cost housing projects to be undertaken by life insurers which are not by law permitted to make investments in such projects in this State at this time.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, Deuel, Fletcher, Foley, Gordon, Hays, Jespersen, Keating, Kenay, Mayo, McBride, McCormack, Metzger, Mixer, Myhand, Nielsen, Phillips, Quinn, Rich, Seawell, Shelley, Slater, Swing, and Wagye—29.

NOES—None.

Recess.

At twelve o'clock and thirty-five minutes p.m., on motion of Senator Seawell, the President of the Senate declared recess until two o'clock and thirty minutes p.m.

Reconvened.

At two o'clock and thirty minutes p.m., the Senate reconvened.
Lieutenant Governor Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beck at the desk.

Call of the Senate.

Senator Seawell moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Cunningham, Deuel, Foley, Garrison, Jespersen, Kenny, Mayo, Metzger, Mixer, Myhand, Seawell, Shelley, and Wagy—13.

The Secretary announced the absentees.

Time, two o'clock and thirty-five minutes p.m.

The President of the Senate directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

Further Proceedings Under Call of the Senate Dispensed With.

At two o'clock and fifty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Seawell.

Consideration of Assembly Bill No. 4 (Resumed).

Assembly Bill No. 4—An act to add Article 2.5, comprising Sections 1160.1 to 1160.9, inclusive, to Chapter 2, Part 2, Division 1 of the Insurance Code, relating to investments in and taxation on comprehensive moderate cost housing projects (including apartments, tenements and dwelling houses, and accommodations for retail stores, shops, offices, and other community service and recreational facilities connected therewith) by insurers, to take effect immediately.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 4 passed by the following vote:

AYES—Senators Breed, Collier, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Kenny, Mayo, McCormack, Metzger, Mixer, Myhand, Nielsen, Parkman, Phillips, Powers, Rich, Seawell, Shelley, Slater, Swing, and Wagy—27.

NOES—None.

Title read and approved.

Assembly Bill No. 4 ordered transmitted to the Assembly.

Messages from the Assembly.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, December 4, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 2—An act to authorize the exchange of certain lands of the State in the county of San Luis Obispo for certain other lands required for armory purposes as defined in the Military and Veterans Code, and declaring the urgency thereof.

JACK CARL GREENBURG, Chief Clerk of Assembly.
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 2 ordered to enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, December 4, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Assembly Concurrent Resolution No. 1—Relative to requesting the Secretary of Agriculture to investigate the possibility of extending the Federal Commodity Stamp Plan.

JACK CARL GREENBURG, Chief Clerk of Assembly.
By C. W. BOOTH, Assistant Clerk.

Assembly Concurrent Resolution No. 1 read, and ordered held at desk without reference to committee.

Message from the Assembly.

ASSEMBLY CHAMBER, SACRAMENTO, December 4, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended:

Senate Bill No. 4—An act to add Sections 862c and 862d to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the acquisition and operation of ferries by cities of the sixth class, either alone or jointly with other cities of the same class or counties, to take effect immediately;

And respectfully requests your honorable body to concur in said amendments.

JACK CARL GREENBURG, Chief Clerk of Assembly.

Consideration of Assembly Amendments.

The Senate took up for consideration Assembly amendments to Senate Bill No. 4.

Amendment No. 1.

On page 1, line 5, of the printed bill, before "ferry", insert the following: "existing".

Amendment No. 2.

On page 1, line 16, of the printed bill, before "ferry", insert the following: "existing".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 4?

The roll was called, and Assembly amendments to Senate Bill No. 4 concurred in by the following vote:

AYES—Senators Collier, Cunningham, DeLap, Deuel, Fletcher, Foley, Gordon, Hays, Kenny, Mayo, McCormack, Metzger, Mixter, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing, and Wagye—24.

NOES—None.

Senate Bill No. 4 ordered to enrollment.

President Pro Tempore in the Chair.

At three o'clock p.m., Hon. Jerrold L. Seawell, President pro tempore of the Senate, in the chair.

Recess.

At three o'clock and five minutes p.m., on motion of Senator Hays, the President pro tempore of the Senate declared recess until three o'clock and twenty-five minutes p.m.

Reconvened.

At three o'clock and twenty-five minutes p.m., the Senate reconvened.

Hon. Jerrold L. Seawell, President pro tempore of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Consideration of Assembly Concurrent Resolution No. 1.**Assembly Concurrent Resolution No. 1.**

Relative to requesting the Secretary of Agriculture to investigate the possibility of extending the Federal Commodity Stamp Plan.

WHEREAS, The Secretary of Agriculture, through the Federal Surplus Commodities Corporation and the Federal Surplus Marketing Administration, administers a program of distributing surplus commodities to certain classes of needy persons; and

WHEREAS, Under the recently devised "stamp" plan, recipients of commodity stamps may exchange them at regular places of private business for designated commodities; and

WHEREAS, Those persons eligible to receive such stamps are greatly benefited by the high quality of nourishing food and well-made clothing obtainable; and

WHEREAS, Farmers and manufacturers are benefited by the plan as they are thereby enabled to widen their market and dispose of their surpluses; and

WHEREAS, Many persons who are ill-fed and ill-clothed are not now included in the program; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Secretary of Agriculture is hereby urged and requested to study the feasibility of extending the benefits of the commodity stamp program to additional low income groups; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to send copies of this resolution to the Secretary of Agriculture, the Federal Surplus Commodity Corporation, and the Federal Surplus Marketing Administration in San Francisco.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 1 adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Collier, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Keating, Kenny, Mayo, McCormack, Metzger, Mixer, Myhand, Nielsen, Parkman, Phillips, Powers, Rich, Shelley, Slater, and Wagy—27.

NOES—Senators Seawell, and Tickle—2.

Assembly Concurrent Resolution No. 1 ordered transmitted to the Assembly.

Recess.

At three o'clock and thirty minutes p.m., on motion of Senator Metzger, the President pro tempore of the Senate declared recess until five o'clock and fifty minutes p.m.

Reconvened.

At five o'clock and fifty minutes p.m., the Senate reconvened.

Lieutenant Governor Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Introduction, First Reading and Reference of Bills.

The following bill was introduced:

Senate Concurrent Resolution No. 1: By Senator Seawell—Relative to adjournment sine die of the Fifth Extraordinary Session of the Fifty-third Legislature of the State of California.

Consideration of Senate Concurrent Resolution No. 1.**Senate Concurrent Resolution No. 1.**

Relative to adjournment sine die of the Fifth Extraordinary Session of the Fifty-third Legislature of the State of California.

Resolved by the Senate of the State of California, the Assembly thereof concurring. That the Fifth Extraordinary Session of the Fifty-third Legislature of the State of California, which convened at three o'clock p.m., on the second day of December, 1940, pursuant to a proclamation issued by the Governor of the State of California under date of December 2, 1940, shall adjourn sine die at two o'clock p.m., December 5, 1940.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 1 adopted by the following vote:

AYES—Senators Biggar, Breed, Brown, Crittenden, Cunningham, DeLap, Deuel, Fletcher, Foley, Garrison, Gordon, Hays, Jespersen, Keating, Kenny, McBride, McCormack, Metzger, Mixter, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Shelley, Slater, Swing, and Wagy—31.

NOES—None.

Senate Concurrent Resolution No. 1 ordered transmitted to the Assembly.

Message from the Assembly.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, December 4, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed:

Senate Bill No. 3—An act to amend Sections 553, 554, 555 and 556 of the Military and Veterans Code, relating to the State Guard, to take effect immediately.

Senate Bill No. 6—An act making an additional appropriation to The Adjutant General and the California National Guard in augmentation of the appropriation made by Item 133 of the Budget Act of 1939, for the purpose therein specified, declaring the urgency hereof, and providing that this act shall take effect immediately.

JACK CARL GREENBURG, Chief Clerk of Assembly.
By C. W. BOOTH, Assistant Clerk.

Senate Bills Nos. 3 and 6 ordered to enrollment.

Adjournment.

At five o'clock and fifty-five minutes p.m., on motion of Senator Seawell, the President of the Senate declared the Senate adjourned, until eleven o'clock a.m., Thursday, December 5, 1940.

JAMES BOYD GARRISON, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (FIFTH EXTRAORDINARY) SESSION

SENATE DAILY JOURNAL

IN SENATE

SENATE CHAMBER, SACRAMENTO.

Thursday, December 5, 1940.

The Senate met at eleven o'clock a.m.
Senator Nielsen of the Ninth District in the chair.
Secretary Joseph A. Beek at the desk.

Roll Call.

The roll was called, and the following answered to their names:

Senators Biggar, Breed, Brown, Crittenden, Cunningham, DeLap, Denel, Fletcher, Foley, Garrison, Gordon, Hays, Keating, Kenny, Mayo, McBride, McCormack, Metzger, Mixer, Myhand, Nielsen, Parkman, Phillips, Powers, Quinn, Rich, Seawell, Slater, and Wagye—29.

Quorum present.

Prayer.

Prayer was offered by the Chaplain, Rev. A. Raymond Grant.

Reading of the Journal.

During the reading of the Journal of Wednesday, December 4, 1940, the further reading was dispensed with, on motion of Senator Slater.

Approval of Journals.

The Senate Journals of the Fifty-third (Fifth Extraordinary) Session of Monday, December 2, 1940; Tuesday, December 3, 1940, and Wednesday, December 4, 1940, were, on motion of Senator Seawell, approved as corrected by the Journal Clerk and Minute Clerk.

Report of Standing Committee.

The following report of standing committee was received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, December 5, 1940.

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 2—An act to authorize the exchange of certain lands of the State in the county of San Luis Obispo for certain other lands required for armory

purposes as defined in the Military and Veterans Code, and declaring the urgency thereof;

Senate Bill No. 4—An act to add Sections 862c and 862d to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the acquisition and operation of ferries by cities of the sixth class, either alone or jointly with other cities of the same class or counties, to take effect immediately;

Senate Bill No. 6—An act making an additional appropriation to The Adjutant General and the California National Guard in augmentation of the appropriation made by Item 133 of the Budget Act of 1939, for the purpose therein specified, declaring the urgency hereof, and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled and presented to the Governor on the fifth day of December, 1940, at eleven o'clock a.m.

SEAWELL, Chairman.

Recess.

At eleven o'clock and thirty minutes a.m., on motion of Senator Seawell, the acting President of the Senate declared recess until one o'clock and forty-five minutes p.m.

Reconvened.

At one o'clock and forty-five minutes p.m., the Senate reconvened.

Lieutenant Governor Ellis E. Patterson, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

Message from the Assembly.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, December 5, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted:

Senate Concurrent Resolution No. 1—Relative to adjournment sine die of the fifth extraordinary session of the Fifty-third Legislature of the State of California.

JACK CARL GREENBURG, Chief Clerk of Assembly.

By C. W. Booth, Assistant Clerk.

Senate Concurrent Resolution No. 1 ordered to enrollment.

Messages from the Assembly.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, December 5, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day returns without further action:

Senate Bill No. 5—An act to add Sections 5.11 and 5.113 to the School Code, relating to the State colleges; declaring the urgency thereof, and providing that this act shall take effect immediately.

JACK CARL GREENBURG, Chief Clerk of Assembly.

ASSEMBLY CHAMBER, SACRAMENTO, December 5, 1940.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day refused adoption of the resolution suspending the Constitution to consider:

Senate Bill No. 7—An act making an additional appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, to be expended as provided therein, declaring the urgency hereof, and providing that this act shall take effect immediately.

JACK CARL GREENBURG, Chief Clerk of Assembly.

Report of Standing Committee.

The following report of standing committee was received and read:

On Governmental Efficiency.

SENATE CHAMBER, SACRAMENTO, December 5, 1940.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred:

Senate Bill No. 8—An act to amend the title of "An act granting certain tide-lands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," approved June 13, 1933, and to add a new section to be numbered Section 5 thereto authorizing the City and County of San Francisco to permit the use of said lands, or any part thereof, by the United States of America for military or naval purposes, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back without recommendation for the reason that no committee action has been taken.

Committee membership—11; committee vote: Ayes—11.

HAYS, Chairman.

Senate Resolution No. 10.

The following resolution was offered:

By Senator Seawell:

Resolved, That the President of the Senate appoint a Committee of Three to notify the Governor that the Senate is ready to adjourn sine die the Fifty-third (Fifth Extraordinary) Session of the Legislature pursuant to the provisions of Senate Concurrent Resolution No. 1 and to ask if His Excellency has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Seawell adopted.

Appointment of Special Committee.

The President announced, in accordance with the above resolution, the appointment of Senators Garrison, Gordon and Keating.

Senate Resolution No. 11.

The following resolution was offered:

By Senator Breed:

Resolved, That the President of the Senate appoint a Committee of Three to notify the Assembly that the Senate is ready to adjourn sine die the Fifty-third (Fifth Extraordinary) Session of the Legislature pursuant to the provisions of Senate Concurrent Resolution No. 1 and to ask if the Assembly has any further communications to transmit to the Senate.

Resolution read, and on motion of Senator Breed adopted.

Appointment of Special Committee.

The President announced, in accordance with the above resolution, the appointment of Senators Nielsen, Jespersen and Breed.

Approval of Minutes.

The minutes of this legislative day, Thursday, December 5, 1940, were, on motion of Senator Seawell, approved as corrected by the Minute Clerk.

Report of Committee.

Senator Garrison, as chairman of the committee appointed to wait upon the Governor and inform him of the readiness of the Senate to adjourn sine die, as provided in Senate Concurrent Resolution No. 1, reported that they had performed their duty.

Report of Committee.

Senator Nielsen, as chairman of the committee appointed to inform the Assembly of the readiness of the Senate to adjourn sine die, as provided in Senate Concurrent Resolution No. 1, reported that they had performed their duty.

Report of Standing Committee.

The following report of standing committee was received and read:

On Rules.

SENATE CHAMBER, SACRAMENTO, December 5, 1940.

MR. PRESIDENT: Your Committee on Rules has examined:

Senate Bill No. 3—An act to amend Sections 553, 554, 555 and 556 of the Military and Veterans Code, relating to the State Guard, to take effect immediately;

Senate Concurrent Resolution No. 1—Relative to adjournment sine die of the Fifth Extraordinary Session of the Fifty-third Legislature of the State of California; And reports that the same have been correctly enrolled and presented to the Governor on the fifth day of December, 1940, at one o'clock and fifty minutes p.m.

SEAWELL, Chairman.

Final Adjournment.

Whereupon, at two o'clock p.m., on motion of Senator Seawell, in accordance with the provisions of Senate Concurrent Resolution No. 1, the President of the Senate declared the Fifty-third (Fifth Extraordinary) Session of the Senate of the State of California adjourned sine die.

JAMES BOYD GARRISON, Minute Clerk.

INDEX



INDEX TO SENATE JOURNAL

A

	Page
ADJOURNMENT, sine die.....	38
ASSEMBLY, message from, election of statutory officers.....	6
notified of: organization of Senate.....	11
notified Senate ready to adjourn sine die.....	38

B

BEEK, JOSEPH A., elected Secretary of the Senate.....	3
oath of office administered.....	3
mileage.....	5
BREED, SENATOR ARTHUR H., JR.,	
appointed on committee to notify Assembly Senate ready to adjourn sine die.....	37
mileage.....	5
resolution, notify Assembly Senate ready to adjourn sine die.....	37
BRIGGS, GEORGE A.,	
appointed to State Board of Prison Directors.....	8

C

COMMITTEES, standing.....	3
COMMUNICATIONS,	
Senator John F. Shelley, unable to attend session due to illness.....	13
mileage.....	5

D

DeLAP, SENATOR T. H., appointed on committee,	
notify Governor of organization of Senate.....	4
mileage.....	5
DEUEL, SENATOR CHARLES H., resolution,	
standing rules of the Senate.....	3
mileage.....	5
DILLINGER, SENATOR-ELECT H. E.,	
privilege of floor of Senate extended.....	8
DOUGHERTY, ALICE H.,	
appointed to State Board of Education.....	8

G

GARRISON, SENATOR J. C., appointed on committee,	
notify Governor of organization of Senate.....	4
notify Governor Senate ready to adjourn sine die.....	37
mileage.....	5
GARRISON, JAMES BOYD, elected minute clerk of the Senate.....	3
oath of office administered.....	3
mileage.....	5
GORDON, SENATOR F. L., appointed on committee to	
notify Governor Senate ready to adjourn sine die.....	37
mileage.....	5
GOVERNOR CULBERT L. OLSON,	
message from, calling Fifth Extraordinary session.....	6
communication from The Adjutant General re amending Military and Vet-	
erans Code.....	7
appointments to State Board of Education and State Board of Prison	
Directors.....	8
notified of organization of Senate.....	11
notified Senate ready to adjourn sine die.....	38
proclamation of.....	1
GRANT, REV. A. RAYMOND,	
elected Chaplain of the Senate.....	3
oath of office administered.....	3

H

HOLOHAN, SENATOR JAMES B., resolution, standing committees of the	
Senate.....	3
mileage.....	5

J	
JENSEN, SENATOR CHRIS N., resolution, notify Assembly of organ- ization of Senate	Page 4
appointed on committee to notify Assembly of organization of Senate	4
notify Assembly Senate ready to adjourn sine die	37
JOURNALS, SENATE, approval of	35, 37
K	
KEATING, SENATOR THOMAS F., appointed on committee to notify Governor Senate ready to adjourn sine die	37
mileage	5
L	
LECKEY, SENATOR FLEET F. GEORGE privilege of floor of Senate extended	8
M	
MCCORMACK, SENATOR THOMAS, appointed on committee to notify Assembly of organization of Senate	4
granted leave of absence	17
mileage	5
MERCHANT, CHRIS, appointed to State Board of Prison Directors	8
MITTLSTAEDT, R. E., The Adjutant General, communication re amending Military and Veterans Code	7
MINTER, SENATOR FRANK W., resolution, notify Assembly of election of statutory officers of Senate	4
mileage	5
MOTION, Senate adjourn sine die	38
N	
NIELSEN, SENATOR ROY J., appointed on committee to notify Governor of organization of Senate	4
notify Assembly Senate ready to adjourn sine die	37
resolution, notify Governor of organization of Senate	4
NOLAN, JOSEPH F., elected Sergeant at Arms of the Senate	3
oath of office administered	3
mileage	5
O	
OLSON, GOVERNOR CILBERT L., see Governor Cylbert L. Olson	
P	
PHILLIPS, SENATOR JOHN, statement re vote on Senate Bill No. 7	20
mileage	5
POWERS, SENATOR HAROLD J., resolution, Sergeant at Arms authorized to receipt for warrants for members and officers of Senate	5
mileage	5
PRESIDENT PRO TEMPORRE, election of	3
oath of office administered	3
R	
RESOLUTIONS, mileage for members and officers of Senate	4
notify Governor of organization of Senate	4
notify Assembly of organization of Senate	4
notify Assembly of election of statutory officers of Senate	4
notify Governor Senate ready to adjourn sine die	37
notify Assembly Senate ready to adjourn sine die	37
Senate organize and elect officers and employees	2
standing rules of Senate	3
standing committees of Senate	3
RULES, STANDING, adoption of	3
RUSSELL, MRS. FRANK C., privilege of floor of Senate extended	8

S

	Page
SEAWELL, SENATOR JERROLD L.,	
elected President Pro Tempore	3
motions approval of Journals	35, 37
motion, Senate adjourn sine die	38
notify Governor Senate ready to adjourn sine die	37
oath of office administered	3
presiding	33
resolution, mileage for members and officers of the Senate	4
SHELLEY, SENATOR JOHN E.,	
communication, absence due to illness	13
granted leave of absence	13
mileage	3
SLATER, SENATOR HERBERT W., resolution, Senate organize and elect	
officers and employees	3
mileage	3
SMITH, DR. W. EARLE,	
appointed to State Board of Prison Directors	x
SOUTER, LOIS E.,	
appointed to State Board of Education	x
SPEARS, HUGH LOVETT,	
appointed to State Board of Prison Directors	x
SWING, SENATOR RALPH E.,	
appointed on committee to notify Assembly of organization of Senate	4
resolution, election of statutory officers of Senate	3
mileage	3

T

TADLOCK, JAMES M.,	
appointed to State Board of Education	x

W

WARD, SENATOR-ELECT C. C.,	
privilege of floor of Senate Extended	x

SENATE RESOLUTIONS

	Page
1 Offered 2; adopted	2
2 Offered 3; adopted	3
3 Offered 3; adopted	3
4 Offered 3; adopted	3
5 Offered 4; adopted	4
6 Offered 4; adopted	4
7 Offered 4; adopted	4
8 Offered 4; adopted	5
9 Offered 5; adopted	5
10 Offered 37; adopted	37
11 Offered 37; adopted	37

TABLE OF ACTIONS ON ASSEMBLY MEASURES IN THE SENATE

ASSEMBLY BILLS	
No.	Page
1 From Assembly, to committee, 18; from committee, Constitution suspended, read second time, 20; urgency clause adopted, read third time, passed, to Assembly-----	21
2 From Assembly, to committee, 19; from committee, 23; Constitution suspended, read second time, 24; urgency clause adopted, read third time, passed, to Assembly-----	25
3 From Assembly, to committee, 18; from committee, 23; Constitution suspended, read second time, 24; urgency clause adopted, read third time, passed, to Assembly-----	26
4 From Assembly, to committee, 18; from committee, read second time, 27; Constitution suspended, 28; read third time, passed, to Assembly-----	31
6 From Assembly, to committee, 18; from committee, 23; Constitution suspended, read second time, 24; urgency clause adopted, read third time, passed, to Assembly-----	26
7 From Assembly, without reference to committee, 19; Constitution suspended, 20; read second time, read third time, passed, to Assembly-----	21

ASSEMBLY CONCURRENT RESOLUTION

1 From Assembly, held at desk, 32; considered without reference to committee, read, adopted, to Assembly-----	33
---	----

TABLE OF ACTIONS ON SENATE MEASURES IN THE SENATE

SENATE BILLS	
1 Introduced, to committee, 9; from committee, read second time, Constitution suspended, read third time, passed, to Assembly, 10; from Assembly, to enrollment, 18; to Governor-----	19
2 Introduced, to committee, 9; from committee, read second time, Constitution suspended, urgency clause adopted, 14; read third time, passed, to Assembly, 15; from Assembly, to enrollment, 32; to Governor-----	35
3 Introduced, to committee, 9; from committee, Constitution suspended, 14; read second time, urgency clause adopted, 15; read third time, passed, to Assembly, 16; from Assembly, to enrollment, 34; to Governor-----	38
4 Introduced, to committee, 9; from committee, Constitution suspended, 14; read second time, urgency clause adopted, 16; read third time, passed, to Assembly, 17; from Assembly, Assembly amendments concurred in, 32; to Governor-----	36
5 Introduced, to committee, 9; from committee, Constitution suspended, 14; read second time, urgency clause adopted, 17; read third time, passed, to Assembly, 22; returned by Assembly without further action-----	36
6 Introduced, to committee, 9; from committee, read second time, 27; Constitution suspended, 28; urgency clause adopted, read third time, passed, to Assembly, 29; from Assembly, to enrollment, 34; to Governor-----	36
7 Introduced, to committee, 10; from committee, 27; read second time, Constitution suspended, 28; urgency clause adopted, 29; read third time, passed, to Assembly, 30; returned by Assembly without further action--	36
8 Introduced, to committee, 22; returned by committee without action-----	37

SENATE CONCURRENT RESOLUTION

1 Offered, considered without reference to committee, read, adopted, to Assembly, 34; from Assembly, to enrollment, to Governor-----	36
--	----



CALIFORNIA LEGISLATURE
FIFTY-THIRD (FIFTH EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

FIRST LEGISLATIVE DAY
 FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,

SACRAMENTO, Monday, December 2, 1940.

The Assembly met at three o'clock p.m., pursuant to the provisions of the proclamation of His Excellency, Culbert L. Olson, Governor of the State of California, dated December 2, 1940.

Announcement.

Jack Carl Greenburg, Chief Clerk of the Assembly, announced that, pursuant to the requirements of the Political Code, Section 237, the following officers of the Assembly of the Fifty-third (Fourth Extraordinary) Session of the Legislature were present and in their respective positions: Jack Carl Greenburg, Chief Clerk; David V. Oliver, Minute Clerk, and Wilkie Ogg, Sergeant-at-Arms.

Roll Call of Members.

The Chief Clerk called the roll of Assemblymen.

The following members of the Assembly answered to the roll call:

Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Garland, Gilmore, Green, Hawkins, Houser, Johnson, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor, Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Sawallisch, Seudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, and Yorty—72.

Quorum present.

House Resolution No. 1.

By Mr. Desmond:

Resolved by the Assembly of the State of California, That the following named persons constitute the officers of the Assembly for the Fifty-third (Fifth Extraordinary) Session, with the per diem as fixed by statute:

Hon. Gordon H. Garland	-----Speaker
Hon. Gardiner Johnson	-----Speaker pro tempore
Jack Carl Greenburg	-----Chief Clerk
David V. Oliver	-----Minute Clerk
Wilkie Ogg	-----Sergeant-at-Arms
Rev. Raymond Lull Bailey	-----Chaplain

House Resolution No. 1 read, and adopted by the following vote:

AYES—Allen, Andreas, Bennett, Burns, Hugh M., Burson, Call, Carlson, Cassidy, Clarke, Cronin, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle,

Evans, Field, Fulcher, Gallagher, Ganuon, Gilmore, Green, Hawkins, Houser, Johnson, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor: Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Richie, Robertson, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, and Yorty—64.

NOES—None.

Oaths of Office Administered.

Hon. Gordon H. Garland, Speaker-elect, Hon. Gardiner Johnson, Speaker pro tempore-elect, Jack Carl Greenburg, Chief Clerk-elect, and Wilkie Ogg, Sergeant-at-Arms-elect, took and subscribed to the following oath administered by Hon. Paul Peek, Secretary of State:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and discharge the duties of the office to which I have been elected to the best of my ability.

Proclamation of the Governor Ordered Printed in the Journal.

On motion of Mr. Desmond, the following proclamation of the Governor was ordered printed in the Journal:

Proclamation.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

WHEREAS, An extraordinary occasion has arisen and now exists, requiring that the Legislature of the State of California be convened; now, therefore,

1. Culbert L. Olson, Governor of the State of California, by virtue of the power and authority in me vested by Section 9 of Article V of the Constitution of the State of California, do hereby convene the Legislature of the State of California to meet and assemble in extraordinary session, at Sacramento, California, on Monday, the second day of December, one thousand nine hundred and forty, at three o'clock p.m. of said day, for the following purposes and to legislate upon the following subjects, to wit:

1. To consider and act upon legislation providing the bases, terms and conditions upon which, and in accordance with unemployment experience, the rates of contributions by employers under the Unemployment Insurance Act may be reduced in conformity with the requirements for an additional credit under the Federal Unemployment Tax Act.

2. To consider and act upon legislation making an additional appropriation to The Adjutant General and the California National Guard for construction, improvements and equipment of armories, arsenals, stables, rifle ranges and camp sites, and to make an additional appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939 to reimburse the fund to the extent that moneys have heretofore been made available therefrom to The Adjutant General and the California National Guard for the purposes specified herein.

3. To consider and act upon legislation to enable the State of California to establish and maintain military forces and organizations in addition to the California National Guard, as authorized by Federal law.

4. To consider and act upon legislation relating to the use of the tidelands and submerged lands which were granted by the State to the City and County of San Francisco by Chapter 912 of the Statutes of 1933.

5. To consider and act upon legislation authorizing life insurers to make investments in housing projects and providing for the taxation of the projects and of insurers investing in such projects.

6. To consider and act upon legislation to authorize the erection and maintenance and to provide for the use of a wind tunnel and necessary appurtenances on the campus of the San Diego State College.

7. To consider and act upon legislation authorizing counties and sixth class cities to acquire, establish, operate, repair and maintain ferries, landings and appurtenances, and to contract with one another for such purposes.

8. To consider and act upon legislation authorizing county boards of supervisors to exchange real property with the United States Government, or any agency thereof, for use for public purposes.

9. To consider and act upon legislation to authorize the city of Santa Barbara to convey to the United States Government, or any agency thereof, a portion of the lands heretofore granted to the city by the State of California.

10. To consider and act upon legislation to authorize the State of California acting through The Adjutant General to exchange certain real property situated in the County of San Luis Obispo.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this second day of December, A. D., one thousand nine hundred and forty.

CULBERT L. OLSON,
Governor of California.

[SEAL]

ATTEST: PAUL PEEK, Secretary of State.

House Resolution No. 2.

By Mr. Hugh M. Burns:

Resolved by the Assembly of the State of California, That a Special Committee of five be appointed to wait upon His Excellency, the Governor, and inform him that the Assembly is organized and awaits any communication he may have to make to it.

House Resolution No. 2 read, and adopted.

Appointment of Special Committee.

In accordance with House Resolution No. 2, the Speaker appointed Messrs. Burns, Hugh M., Lyon, Del Mutolo, Dills and Mrs. Daley as such Special Committee.

House Resolution No. 3.

By Mr. Lyon:

Resolved by the Assembly of the State of California, That the Speaker of the Assembly appoint a Committee of Three to inform the Senate that the Assembly is in session, pursuant to the proclamation of His Excellency, the Governor, dated the second day of December, 1940, and ready for the transaction of legislative business, with the following officers, to wit:

Hon. Gordon H. Garland	Speaker
Hon. Gardiner Johnson	Speaker pro tempore
Jack Carl Greenburg	Chief Clerk
David V. Oliver	Minute Clerk
Wilkie Ogg	Sergeant-at-Arms
Rev. Raymond Lull Bailey	Chaplain

House Resolution No. 2 read, and adopted.

Appointment of Special Committee.

In accordance with House Resolution No. 3, the Speaker appointed Messrs. Kepple, Carlson and Miss Miller as such Special Committee.

House Resolution No. 4.

By Mr. Desmond:

Resolved by the Assembly of the State of California, That until further notice the Standing Rules, as amended, of the First Extraordinary Session which convened on January 29, 1940, be and the same are hereby adopted as the Rules of this Fifth Extraordinary Session convened on December 2, 1940.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to consider House Resolution No. 4, at this time, without reference to committee.

House Resolution No. 4 read, and adopted.

Prayer.

Prayer was offered by Rev. E. Kenneth Feaver, Acting Chaplain of the Assembly.

Allegiance Pledged to the Flag.

Pursuant to a motion made by Mr. Doyle, the Assembly pledged allegiance to the flag.

Senate Message.

SENATE CHAMBER, SACRAMENTO, December 2, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day elected the following statutory officers of this Fifty-third (Fifth Extraordinary) Session:

President pro tempore.....	Jerrold L. Scawell
Secretary of the Senate.....	Joseph A. Beek
Sergeant-at-Arms.....	Joseph E. Nolan
Minute Clerk.....	James Boyd Garrison
Chaplain.....	L. Raymond Grant
	J. A. BEEK, Secretary of Senate.

House Resolution No. 5.

By Mr. Waters:

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance from county seat	Distance from county seat, miles	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Michael J. Burns.....	Eureka, Humboldt County.....	312	--	--	624	\$31 20
2	Clinton J. Fuleher.....	Lookout, Modoc County.....	324	--	44	280	560 28 00
3	John H. O'Donnell.....	Woodland, Yolo County.....	23	--	--	46	2 30
4	Neth Millington.....	Gridley, Butte County.....	86	--	14	72	144 7 20
5	Ernest C. Crowley.....	Suisun, Solano County.....	48	--	--	96	4 80
6	Allen G. Thurman.....	Colfax, Placer County.....	37	17	--	54	108 5 40
7	Hubert B. Seudder.....	Sacramento, Sonoma County.....	90	7	--	97	194 9 70
8	Chester F. Cannon.....	Sacramento, Sacramento County.....	--	--	--	--	--
9	Earl D. Desmond.....	Sacramento, Sacramento County.....	--	--	--	--	--
10	Harold F. Sawallisch.....	Richmond, Contra Costa County.....	62	22	--	84	168 8 40
11	Charles M. Weber.....	Stockton, San Joaquin County.....	48	--	--	96	4 80
12	James E. Thorp.....	Lockeford, San Joaquin County.....	48	--	3	45	90 4 50
13	James M. Cassidy.....	Oakland, Alameda County.....	84	--	--	168	8 40
14	George P. Miller.....	Alameda, Alameda County.....	84	5	--	89	178 8 90
15	Bernard A. Sheridan.....	Oakland, Alameda County.....	84	--	--	168	8 40
16	Arthur W. Carlson.....	Piedmont, Alameda County.....	84	--	--	168	8 40
17	Henry P. Meehan.....	Oakland, Alameda County.....	84	--	--	168	8 40
18	James H. Phillips.....	Oakland, Alameda County.....	84	--	--	168	8 40
19	Gardiner Johnson.....	Berkeley, Alameda County.....	84	1	83	166	8 30
20	Thomas A. Maloney.....	San Francisco, San Francisco County.....	90	--	--	180	9 00
21	Joseph P. Gilmore.....	San Francisco, San Francisco County.....	90	--	--	180	9 00
22	George D. Collins, Jr.....	San Francisco, San Francisco County.....	90	--	--	180	9 00
23	Dan Gallagher.....	San Francisco, San Francisco County.....	90	--	--	180	9 00
24	Edward F. O'Day.....	San Francisco, San Francisco County.....	90	--	--	180	9 00
25	Melvin I. Cronin.....	San Francisco, San Francisco County.....	90	--	--	180	9 00
26	Ray Williamson.....	San Francisco, San Francisco County.....	90	--	--	180	9 00
27	Albert C. Wollenberg.....	San Francisco, San Francisco County.....	90	--	--	180	9 00
28	Robert Miller Green.....	San Francisco, San Francisco County.....	90	--	--	180	9 00
29	Harrison W. Call.....	Redwood City, San Mateo County.....	119	--	--	238	11 90
30	Byrl R. Salsman.....	Palo Alto, Santa Clara County.....	128	18	--	146	292 14 60
31	M. G. Del Mutolo.....	San Jose, Santa Clara County.....	128	--	--	256	12 80
32	Hugh P. Donnelly.....	Turlock, Stanislaus County.....	77	14	--	91	182 9 10
33	George A. Clarke.....	LeGrand, Merced County.....	114	15	--	129	258 12 90
34	Jacob M. Leonard.....	Hollister, San Benito County.....	173	--	--	346	17 30
35	Fred Weybret.....	Soledad, Monterey County.....	208	24	--	232	464 23 20
36	Hugh M. Burns.....	Fresno, Fresno County.....	169	--	--	338	16 90
37	S. L. Helsingier.....	Fresno, Fresno County.....	169	--	--	338	16 90
38	Gordon H. Garland.....	Woodlake, Tulare County.....	206	16	--	222	444 22 20
39	Alfred W. Robertson.....	Santa Barbara, Santa Barbara County.....	460	--	--	920	46 00
40	Roscoe W. Burson.....	Fillmore, Ventura County.....	490	27	--	517	1034 51 70
41	Rodney L. Turner.....	Delano, Kern County.....	278	30	248	496	24 80
42	Elmer E. Lore.....	North Hollywood, Los Angeles County.....	447	--	--	894	44 70
43	C. Don Field.....	Glendale, Los Angeles County.....	447	10	437	874	43 70
44	John B. Pelletier.....	Los Angeles, Los Angeles County.....	447	--	--	894	44 70
45	Thomas J. Doyle.....	Los Angeles, Los Angeles County.....	447	--	--	894	44 70
46	Jack B. Tenney.....	Inglewood, Los Angeles County.....	447	10	--	457	914 45 70
47	Eleanor Miller.....	Pasadena, Los Angeles County.....	447	13	--	460	920 46 00

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
48	T. Fenton Knight	La Canada, Los Angeles County	447	16	463	926	\$46 30	
49	Lee T. Bashore	Glendora, Los Angeles County	447	26	473	946	47 30	
50	Gerald C. Kepple	Whittier, Los Angeles County	447	15	462	924	46 20	
51	F. Ray Bennett	Los Angeles, Los Angeles County	447	—	—	894	44 70	
53	Frederick F. Houser	Alhambra, Los Angeles County	447	9	456	912	45 60	
54	Wilbur F. Gilbert	Los Angeles, Los Angeles County	447	—	—	894	44 70	
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	—	—	894	44 70	
56	Norris Poulson	Los Angeles, Los Angeles County	447	—	—	894	44 70	
57	Kent H. Redwine	Los Angeles, Los Angeles County	447	—	—	894	44 70	
58	Frank J. Waters, Jr.	Los Angeles, Los Angeles County	447	—	—	894	44 70	
59	Charles W. Lyon	Los Angeles, Los Angeles County	447	—	—	894	44 70	
60	Jesse Randolph Kellems	Los Angeles, Los Angeles County	447	—	—	894	44 70	
61	Ernest O. Voigt	Los Angeles, Los Angeles County	447	—	—	894	44 70	
62	Augustus F. Hawkins	Los Angeles, Los Angeles County	447	—	—	894	44 70	
63	Don A. Allen	Los Angeles, Los Angeles County	447	—	—	894	44 70	
64	Samuel W. Yorty	Los Angeles, Los Angeles County	447	—	—	894	44 70	
65	John W. Evans	Los Angeles, Los Angeles County	447	—	—	894	44 70	
66	Jack Masslon	Los Angeles, Los Angeles County	447	—	—	894	44 70	
67	Cecil R. King	Los Angeles, Los Angeles County	447	—	—	894	44 70	
69	Ralph C. Dills	Compton, Los Angeles County	447	18	465	930	46 50	
70	Maurice E. Atkinson	Long Beach, Los Angeles County	447	22	469	938	46 90	
72	Gedfrey A. Andreas	Upland, San Bernardino County	508	22	530	1060	53 00	
73	Gordon W. Corwin	Redlands, San Bernardino County	508	9	517	1034	51 70	
74	Clyde A. Watson	Orange, Orange County	481	—	—	962	48 10	
75	Thomas A. Kuchel	Anaheim, Orange County	481	7	488	976	48 80	
76	Nelson S. Dilworth	Hemet, Riverside County	512	34	546	1092	54 60	
77	Clarence R. Walker	Westmorland, Imperial County	661	—	22	639	1278	63 90
78	Jeanette E. Daley	San Diego, San Diego County	573	—	—	1146	57 30	
79	Paul A. Richele	San Diego, San Diego County	573	—	—	1146	57 30	
80	Charles W. Stream	Palm City, San Diego County	573	13	586	1172	58 60	

Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Jack Carl Greenburg	Los Angeles, Los Angeles County	---	---	---	894	\$89 40	
David V. Oliver	Merced, Merced County	---	---	---	228	22 80	
Wilkie Ogg	Sacramento, Sacramento County	---	---	---			

House Resolution No. 5 referred to the Committee on Mileage.

Leaves of Absence for the Fifth Extraordinary Session.

On motion of Mr. Field, Mr. Redwine and Mr. Gilbert were granted a leave of absence for the Fifty-third (Fifth Extraordinary) Session.

On motion of Mr. Lyon, Mr. Corwin was granted a leave of absence for the Fifty-third (Fifth Extraordinary) Session.

Committee from the Senate.

Senators McCormack, Swing and Jespersen appeared before the bar of the Assembly, and announced that the Senate had organized, and was now ready to proceed with the regular business.

House Resolution No. 6.

By Mr. Doyle:

Resolved, That all accredited newspaper representatives of the Fifty-third (First Extraordinary) Session, be deemed to be duly accredited representatives of the Fifty-third (Fifth Extraordinary) Session.

Request for Unanimous Consent.

Mr. Doyle asked for, and was granted, unanimous consent to consider House Resolution No. 6, at this time, without reference to committee.

House Resolution No. 6 read, and adopted.

House Resolution No. 7.

By the Committee on Attaches:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law:

Commencing Monday, December 2, 1940:

Rev. Raymond Lull Bailey, Chaplain;
 Jack Carl Greenburg, Chief Clerk;
 C. W. Booth, Assistant Chief Clerk;
 David V. Oliver, Minute Clerk;
 Wilkie Ogg, Sergeant-at-Arms;
 Albert Day, Journal Clerk;
 Lillian Larkin, Stenographer;
 Michael Connolly, Assistant Sergeant-at-Arms;
 Francis Ogg, Assistant Sergeant-at-Arms;
 Harold Lewright, Assistant Sergeant-at-Arms;
 Robert Voigt, History Clerk;
 James Evans, Assistant Sergeant-at-Arms;
 Robert Guy, Assistant Sergeant-at-Arms;
 Ed Nathan, Assistant Sergeant-at-Arms;
 Andrew A. Crist, Assistant Sergeant-at-Arms;
 Marion Hendricks, Engrossing and Enrolling Clerk;
 Beulah Van Wart, Assistant Clerk;
 Inamita Dependener, Chief Stenographer;
 Nina Ronstadt, Secretary to the Speaker;
 Elizabeth Eyre, Stenographer;
 Sheral Holmes, Stenographer;
 Irene Mosher, Stenographer;
 Gertrude Marlon, Stenographer;
 Fay Cronkite, Stenographer;
 June W. Ballard, Stenographer;
 Mary Jane Doty, Stenographer;
 Jacqueline Morgan, Stenographer;
 William Murphy, Chief Page;
 Louis Desmond, Page;
 Domingo Correa, Page;
 Jack Shafer, Page;
 Jack W. Booth, Page;
 Raymond Williamson, Jr., Page.

VOIGT, Chairman, Attache Committee.

Request for Unanimous Consent.

Mr. Voigt asked for, and was granted, unanimous consent to consider House Resolution No. 7, at this time.

House Resolution No. 7 read, and adopted.

House Resolution No. 8.

By Messrs. Salsman, Robertson and Call:

Congratulating the Stanford University football team.

WHEREAS, The football team of Stanford University has won the undisputed championship of the Pacific Coast Conference; and

WHEREAS, Being the champion, the Stanford team has been selected to uphold the honor of the West in the Rose Bowl in Pasadena on New Year's Day; and

WHEREAS, The string of nine consecutive victories won by the Stanford team constitutes one of the outstanding football records in the nation in 1940; now, therefore, be it

Resolved by the Assembly of the State of California, That we hereby extend our hearty congratulations to each and every member of the football team of Stanford University and to Coach Clark D. Shaughnessy and his assistants for this remarkable season; and be it further

Resolved, That we wish for the Stanford team an outstanding victory on New Year's Day; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to present a suitably prepared copy of this resolution to Coach Clark D. Shaughnessy and such a copy to the Board of Athletic Control of Stanford University.

Request for Unanimous Consent.

Mr. Salsman asked for, and was granted, unanimous consent to consider House Resolution No. 8, at this time, without reference to committee.

House Resolution No. 8 read, and adopted unanimously.

Reports of Standing Committees.

On Mileage.

ASSEMBLY CHAMBER, SACRAMENTO, December 2, 1940.

MR. SPEAKER: Your Committee on Mileage, to which was referred:

House Resolution No. 5.

Respectfully reports the same back with the recommendation: Be adopted.

WATERS, Chairman.

House Resolution No. 5.

By Mr. Waters:

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same:

Member	Name	Address	Distance from county seat, miles	Mileage one way	Total mileage	Amount at 7 cents per mile
1	Abraham J. Burns	Eureka, Humboldt County	312	--	624	\$31.20
2	Clinton J. Fulcher	Laekout, Modoc County	324	--	648	28.00
3	John H. O'Donnell	Woodland, Yolo County	23	44	16	2.30
4	Seth Millington	Gridley, Butte County	86	14	100	7.20
5	Ernest C. Crowley	Suisun, Solano County	48	--	96	4.80
6	Allen G. Thurman	Colfax, Placer County	37	17	54	108.50
7	Hubert B. Seadder	Sebastopol, Sonoma County	90	7	97	194.90
8	Chester F. Gannon	Sacramento, Sacramento County	--	--	--	--
9	Earl D. Desmond	Sacramento, Sacramento County	--	--	--	--
10	Harold F. Sawallisch	Richmond, Contra Costa County	62	22	84	168.80
11	Charles M. Weber	Stockton, San Joaquin County	48	--	96	4.80
12	James E. Thorp	Lockeford, San Joaquin County	18	3	21	4.50
13	James M. Cassidy	Oakland, Alameda County	84	--	168	8.40
14	George P. Miller	Alameda, Alameda County	84	5	89	178.80
15	Bernard A. Sheridan	Oakland, Alameda County	84	--	168	8.40
16	Arthur W. Carlson	Piedmont, Alameda County	84	--	168	8.40
17	Henry P. Meehan	Oakland, Alameda County	84	--	168	8.40
18	James H. Phillips	Oakland, Alameda County	84	--	168	8.40
19	Gardner Johnson	Berkeley, Alameda County	84	1	85	169.80
20	Thomas A. Maloney	San Francisco, San Francisco County	90	--	180	9.00
21	Joseph P. Gilmore	San Francisco, San Francisco County	90	--	180	9.00
22	George D. Collins, Jr.	San Francisco, San Francisco County	90	--	180	9.00
23	Dan Gallagher	San Francisco, San Francisco County	90	--	180	9.00
24	Edward F. O'Day	San Francisco, San Francisco County	90	--	180	9.00
25	Melvin L. Cronin	San Francisco, San Francisco County	90	--	180	9.00
26	Ray Williamson	San Francisco, San Francisco County	90	--	180	9.00
27	Albert C. Wollenberg	San Francisco, San Francisco County	90	--	180	9.00
28	Robert Miller Green	San Francisco, San Francisco County	90	--	180	9.00
29	Harrison W. Call	Redwood City, San Mateo County	119	--	238	11.90
30	Byrl R. Salsman	Palo Alto, Santa Clara County	128	18	146	292.14
31	M. G. Del Monte	San Jose, Santa Clara County	128	--	256	12.80
32	Hugh P. Donnelly	Turlock, Stanislaus County	77	14	91	182.90
33	George A. Clarke	Legrand, Merced County	111	15	126	252.12
34	Jacob M. Leonard	Hollister, San Benito County	173	--	346	17.30
35	Fred Weybret	Soledad, Monterey County	208	24	232	464.23
36	Hugh M. Burns	Fresno, Fresno County	169	--	338	16.90
37	Gordon H. Garland	Woodlake, Tulare County	206	16	222	444.22
38	Alfred W. Robertson	Santa Barbara, Santa Barbara County	460	--	920	46.00
39	Rosecoe W. Burton	Fillmore, Ventura County	490	27	517	1034.51
40	Rodney L. Turner	Delano, Kern County	278	30	308	616.30
41	Elmer E. Lore	North Hollywood, Los Angeles County	447	--	894	44.70
42	C. Don Field	Glendale, Los Angeles County	447	10	457	914.45
43	John B. Pelletier	Los Angeles, Los Angeles County	447	--	894	44.70
44	Thomas J. Doyle	Los Angeles, Los Angeles County	447	--	894	44.70
45	Jack B. Tenney	Inglewood, Los Angeles County	447	10	457	914.45
46	Eleanor Miller	Pasadena, Los Angeles County	447	13	460	920.46

District	Name	Address	Distance from county seat	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
48	T. Fenton Knight	La Canada, Los Angeles County	447	16	463	926	\$46 30
49	Lee T. Bashore	Glendora, Los Angeles County	447	26	473	946	47 30
50	Gerald C. Kepple	Whittier, Los Angeles County	447	15	462	924	46 20
51	F. Ray Bennett	Los Angeles, Los Angeles County	447	---	---	894	44 70
53	Frederick F. Houser	Alhambra, Los Angeles County	447	9	456	912	45 60
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	---	---	894	44 70
56	Norris Poulson	Los Angeles, Los Angeles County	447	---	---	894	44 70
58	Frank J. Waters, Jr.	Los Angeles, Los Angeles County	447	---	---	894	44 70
59	Charles W. Lyon	Los Angeles, Los Angeles County	447	---	---	894	44 70
60	Jesse Randolph Kellems	Los Angeles, Los Angeles County	447	---	---	894	44 70
61	Ernest O. Voigt	Los Angeles, Los Angeles County	447	---	---	894	44 70
62	Augustus F. Hawkins	Los Angeles, Los Angeles County	447	---	---	894	44 70
63	Hon A. Allen	Los Angeles, Los Angeles County	447	---	---	894	44 70
64	Samuel W. Yorty	Los Angeles, Los Angeles County	447	---	---	894	44 70
65	John W. Evans	Los Angeles, Los Angeles County	447	---	---	894	44 70
66	Jack Massion	Los Angeles, Los Angeles County	447	---	---	894	44 70
67	Cecil R. King	Los Angeles, Los Angeles County	447	---	---	894	44 70
69	Ralph C. Dills	Compton, Los Angeles County	447	18	465	930	46 50
70	Maurice E. Atkinson	Long Beach, Los Angeles County	447	22	469	938	46 90
72	Godfrey A. Andreas	Ypland, San Bernardino County	508	22	530	1060	53 00
74	Clyde A. Watson	Orange, Orange County	481	---	---	962	48 10
75	Thomas A. Kuchel	Anaheim, Orange County	481	7	488	976	48 80
76	Nelson S. Dilworth	Hemet, Riverside County	512	31	546	1092	54 60
77	Clarence R. Walker	Westmorland, Imperial County	661	---	22 639	1278	63 90
78	Jeanette E. Daley	San Diego, San Diego County	573	---	---	1146	57 30
79	Paul A. Richie	San Diego, San Diego County	573	---	---	1146	57 30
80	Charles W. Stream	Palm City, San Diego County	573	13	586	1172	58 60

Name	Address	Distance from county seat	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Jack Carl Greenburg	Los Angeles, Los Angeles County	447	---	---	894	\$89 40
David V. Oliver	Merced, Merced County	114	---	---	228	22 80
Wilkie Ogg	Sacramento, Sacramento County	---	---	---	---	---

House Resolution No. 5 read, and adopted by the following vote:

AYES—Allen, Andreas, Bashore, Bennett, Burns, Michael J., Burson, Call, Cassidy, Collins, Cronin, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gilmore, Green, Hawkins, Johnson, Kepple, Kilpatrick, King, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, Pelletier, Phillips, Richie, Robertson, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—62.

NOES—Desmond and Gaunon—2.

Presentation of Bills for Introduction.

The following bills were presented for introduction, and referred to the Legislative Counsel Bureau:

Assembly Bill No. 1: By Messrs. Maloney, Cronin, Gallagher, Wollenberg, Green, O'Day, Williamson, Gilmore and Collins—An act to amend the title of "An act granting certain tide lands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation

and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," approved June 13, 1933, and to add a new section to be numbered Section 5 thereto authorizing the City and County of San Francisco to permit the use of said lands, or any part thereof, by the United States of America for military or naval purposes, and providing that this act shall take effect immediately.

Assembly Bill No. 2: By Mr. Turner—An act to add Section 4041.21a to the Political Code, relating to the powers of boards of supervisors, to take effect immediately.

Assembly Bill No. 3: By Messrs. Richie, Stream and Mrs. Daley—An act to add Sections 5.11 and 5.113 to the School Code, relating to the State colleges; declaring the urgency thereof, and providing that this act shall take effect immediately.

Assembly Bill No. 4: By Messrs. Lyon, Houser, Poulson, Hawkins, Waters, Field, Tenney, Yorty, King, Allen, Atkinson, Pelletier, Andreas, Massion, Bashore, Evans, Bennett, Dills, Doyle, Kilpatrick, Voigt, Kepple and Miss Miller—An act to add Article 2.5, comprising Sections 1160.1 to 1160.9, inclusive, to Chapter 2, Part 2, Division 1 of the Insurance Code, relating to investments in and taxation on comprehensive moderate cost housing projects (including apartments, tenements and dwelling houses, and accommodations for retail stores, shops, offices, and other community service and recreational facilities connected therewith) by insurers, to take effect immediately.

Assembly Bill No. 5: By Messrs. Crowley and Sawallisch—An act to add Sections 862e and 862d to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the acquisition and operation of ferries by cities of the sixth class, either alone or jointly with other cities of the same class or counties, to take effect immediately.

Assembly Bill No. 6: By Mr. Robertson—An act to add Section 4 to "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, authorizing the conveyance of certain lands to the United States Government, or to any agency thereof, to take effect immediately.

Message from the Governor.

On motion of Mr. Call, the following message from the Governor was read, and ordered printed in the Journal.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,

SACRAMENTO, December 2, 1940.

To the Honorable Members of the Senate and Assembly of the State of California.

GREETINGS: It is proper upon the convening of this extraordinary session of the Legislature that I should briefly explain to you the subjects which I have placed before you for consideration and the reasons for their inclusion in the proclamation calling the session. Before doing so, I may state that the contents of the message which I sent to you this morning when you were sitting in your fourth extraordinary session, which message was concerned with the necessity of taking action on various subjects prior to the next regular session, are applicable to the subjects of this new session.

The first item concerns clarification of the experience rating provisions of the Unemployment Insurance Act. "Experience Rating" is that provision of the act which, on the basis of favorable employment experience, grants a lower contribution rate to those employers whose experience indicates that a lower rate will be more nearly commensurate with benefit payments to their employees. This provision

has been in our law in substantially its present form since the law's inception in 1935, and similar provisions will be found in the laws of many other States.

Under our present law the California Employment Commission is required, as of January 1, 1941, to classify employers with regard to their experience and to levy tax assessments at a rate lower than the general rate of 2.7 per cent if any employer has the required reserve in his bookkeeping account with the commission. The amendments will also assure employers of receiving the additional tax credit offset allowed under applicable sections of the Federal Internal Revenue Code.

Proper amendment at this time will cure apparent defects and clarify the law so as to provide the commission with the necessary machinery and with definite legislative instructions as to how the existing experience rating provisions are to be administered on January 1, 1941.

In considering this matter it should be understood that experience rating in unemployment insurance systems is in an experimental stage. There are many who contend that it has no place in the law. I, personally, and the commission as well, have some doubts as to the soundness of the entire "experience rating" principle. After having had an opportunity to observe actual experience in the administration of the provision, a recommendation may very well be made in the future that these provisions be eliminated entirely. However, at the present time it seems essential that these amendments should be adopted in order that the commission may proceed with the proper administration of the present law in accordance with its expressed legislative intent.

Several months ago it became necessary to make arrangements for the purchase of additional land near the San Luis Obispo Campsite of the National Guard to provide for the leasing to the Federal Government of the necessary area on which the Federal Government was to construct \$5,000,000 of barracks, storerooms and other facilities in connection with the training of the Guard. The improvements on the land will belong to the State when the present emergency is ended. At that time it was thought that it would be necessary to call a special session in order to get the necessary funds. But conferences with a number of the members of the Legislature ended in a plan whereby part of the necessary funds were provided from the Emergency Fund with the understanding that legislation should be passed at the next special session to provide funds necessary to complete the purchase and to reimburse the Emergency Fund. A \$50,000 appropriation from the General Fund is needed to complete the purchase, and the sum of \$190,000 is needed to reimburse the Emergency Fund, which sum may be obtained by transferring \$110,000 of unneeded moneys from the support appropriations for the National Guard and appropriating \$80,000 from the General Fund. Thus a total new appropriation of only \$130,000 is needed.

Item No. 3 in the proclamation concerns legislation to enable the State to establish a State Guard, as authorized by Federal Law, in addition to the National Guard. The explanation of such legislation and the necessity therefor is contained in the attached copy of a letter from The Adjutant General.

Item No. 4 will permit the enactment of legislation to allow the city of San Francisco to lease portions of Treasure Island to the Federal Government or to the State for defense purposes. Representatives of the city of San Francisco have requested this legislation as the Navy Department has already requested the use of part of the island.

Item No. 5 was included in response to the request of a large number of members of the Legislature. I understand that one of the large life insurance companies has under consideration plans to invest some ten million dollars in a much needed moderate cost housing project, but that the insurance laws do not permit the investment of funds of insurance companies in real estate, except for their necessary office buildings. The reasons urged for this legislation are the defense housing needs and the unemployment in the building trades and allied industries. It would seem that an amendment of the law to permit an investment in a large moderate cost housing project would be proper because of such conditions, provided adequate standards and supervision be set up for the making of such investment. Such legislation should provide that the insurance companies investing in such projects must waive the right to set off against the amounts due from them for gross premium taxes, the amounts of the real estate taxes on such projects.

The next item, concerning a wind tunnel, simply will permit proposed legislation to allow the maintenance of a wind tunnel on the campus of San Diego State College for the study of problems relating to aircraft. I understand that Federal or private funds will completely provide for the erection and maintenance of the proposed wind tunnel, and that this will furnish testing equipment essential in the national defense program, and which will also be valuable as equipment used in the educational program of the college.

The seventh item is necessary for legislation to permit the counties of Solano or Contra Costa or the cities of Benicia or Martinez, or either of them, to operate the Martinez-Benicia Ferry. A committee of representatives of various communities interested in the ferry, which committee included several members of the

Legislature, requested that this item be included. Immediate action is necessary in order to come within certain time limitations involved in the transfer of the Antioch and Carquinez bridges.

The eighth item will authorize legislation necessary in order that the county of Kern may complete a transfer of certain of its real property to the Federal Government to be used as the site of a post office, in exchange for the present post-office building, which will be used by the county for a public library.

Item No. 9 is placed before you to authorize legislation which will permit a conveyance to be made to the Federal Government by the city of Santa Barbara of a small plot of ground for use as a naval armory. The land is the result of accretions on tidelands granted by the State to the city of Santa Barbara for specified purposes, and in order to insure the validity of a grant from the city of Santa Barbara further legislation is necessary.

The last item is required to enable the State to exchange a small parcel of land belonging to the State and under the jurisdiction of the National Guard, for another parcel of land necessary for a right of way for the construction of a railroad spur track from the right of way of the S. P. R. R. for transporting building and military supplies to the National Guard Training Camp at San Luis Obispo.

Respectfully submitted,

CULBERT L. OLSON,
Governor of California.

CLO:PW

STATE OF CALIFORNIA, DIVISION OF MILITARY AFFAIRS,
SACRAMENTO, November 30, 1940.

Hon. Culbert L. Olson, Governor of California,
State Capitol, Sacramento, California.

MY DEAR GOVERNOR OLSON: It is requested that immediate consideration be given to amending the Military and Veterans Code of the State of California to enable the organization of units to be known as the State Guard. This is an urgent matter and is required by reason of the following facts:

a. The entire National Guard of the State of California will have been inducted into Federal service within a short time, whereafter it will not be available for local emergencies.

b. The National Defense Act prohibits the organization of units by States other than the federally recognized National Guard in time of peace. However, Congress has recently passed a law which authorizes the organization of a State Guard during such time as the National Guard of any State is in active Federal service in time of peace.

c. The execution of this law in any State is contingent upon passage by the State of necessary legislation where the State Military Code is not sufficient.

d. The Military Code of California is insufficient in that it does not provide for any organization other than the federally recognized National Guard.

In view of the foregoing, it is necessary to make certain amendments to the Military Code. Several proposed revisions accomplishing this have already been forwarded to you.

Very truly yours,

R. E. MITTELSTAEDT,
Brigadier General,
The Adjutant General.

Recess.

At three o'clock and forty minutes p.m., on motion of Mr. Desmond, the Assembly was declared at recess until the hour of three o'clock and fifty minutes p.m.

Reassembled.

At three o'clock and fifty minutes p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.

Introduction and Reference of Bills.

The following bills were reported back from the Legislative Counsel Bureau, and read the first time.

Assembly Bill No. 1: By Messrs. Maloney, Cronin, Gallagher, Woltenberg, Green, O'Day, Williamson, Gilmore and Collins—An act to amend the title of "An act granting certain tidelands and submerged lands of the State of California to the City and County of San Fran-

cisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," approved June 13, 1933, and to add a new section to be numbered Section 5 thereto authorizing the City and County of San Francisco to permit the use of said lands, or any part thereof, by the United States of America for military or naval purposes, and providing that this act shall take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 2: By Mr. Turner—An act to add Section 4041.21a to the Political Code, relating to the powers of boards of supervisors, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 3: By Messrs. Richie, Stream and Mrs. Daley—An act to add Sections 5.11 and 5.113 to the School Code, relating to the State colleges; declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 4: By Messrs. Lyon, Houser, Poulson, Hawkins, Waters, Field, Tenney, Yorty, King, Allen, Atkinson, Pelletier, Andreas, Massion, Bashore, Evans, Bennett, Dills, Doyle, Kilpatrick, Voigt, Kepple and Miss Miller—An act to add Article 2.5, comprising Sections 1160.1 to 1160.9, inclusive, to Chapter 2, Part 2, Division 1 of the Insurance Code, relating to investments in and taxation on comprehensive moderate cost housing projects (including apartments, tenements and dwelling houses, and accommodations for retail stores, shops, offices, and other community service and recreational facilities connected therewith) by insurers, to take effect immediately.

Referred to Committee on Insurance.

Assembly Bill No. 5: By Messrs. Crowley and Sawallisch—An act to add Sections 862c and 862d to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the acquisition and operation of ferries by cities of the sixth class, either alone or jointly with other cities of the same class or counties, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 6: By Mr. Robertson—An act to add Section 4 to "An act granting certain tidelands and submerged lands of the State of California to the City of Santa Barbara, subject to certain trusts," approved April 16, 1925, authorizing the conveyance of certain lands to the United States Government, or to any agency thereof, to take effect immediately.

Referred to Committee on Rules.

Adjournment.

At three o'clock and fifty-five minutes p.m., on motion of Mr. Desmond, the Speaker declared the Assembly adjourned this day until ten o'clock and thirty minutes a.m., Tuesday, December 3, 1940.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (FIFTH EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

SECOND LEGISLATIVE DAY
SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Tuesday, December 3, 1940.

At ten o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.
Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The following members answered to the roll call:

Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Cronin, Crowley, Daley, Del Monte, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Kuebel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor, Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Sawallisch, Sandler, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—74.

Quorum present.

Prayer.

Prayer was offered by Rev. E. Kenneth Feaver, Acting Chaplain of the Assembly.

Reading of the Journal Dispensed With.

On motion of Mr. Turner, the further reading of the Journal of Monday, December 2, 1940, was dispensed with.

Reports of Standing Committees.

On Rules.

ASSEMBLY CHAMBER, SACRAMENTO, December 2, 1940.

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 1.

Assembly Bill No. 5.

Assembly Bill No. 2.

Assembly Bill No. 6.

Assembly Bill No. 3.

Respectfully reports the same back with the recommendation: Do pass.

DESMOND, Chairman.

The above reported bills ordered on second reading calendar.

On Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, December 2, 1940.

MR. SPEAKER: Your Committee on Insurance, to which was referred:

Assembly Bill No. 4.

Respectfully reports the same back with the recommendation: Do pass.

SCUDDER, Chairman.

The above reported bill ordered on second reading calendar.

Second Reading of Assembly Bills.

Assembly Bill No. 1—An act to amend the title of "An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," approved June 13, 1933, and to add a new section to be numbered Section 5 thereto authorizing the City and County of San Francisco to permit the use of said lands, or any part thereof, by the United States of America for military or naval purposes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 2—An act to add Section 4041.21a to the Political Code, relating to the powers of boards of supervisors, to take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 3—An act to add Sections 5.11 and 5.113 to the School Code, relating to the State colleges; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 4—An act to add Article 2.5, comprising Sections 1160.1 to 1160.9, inclusive, to Chapter 2, Part 2, Division 1 of the Insurance Code, relating to investments in and taxation on comprehensive moderate cost housing projects (including apartments, tenements and dwelling houses, and accommodations for retail stores, shops, offices, and other community service and recreational facilities connected therewith) by insurers, to take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 5—An act to add Sections 862c and 862d to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the acquisition and operation of ferries by cities of the sixth class, either alone or jointly with other cities of the same class or counties, to take effect immediately.

Bill read second time, and ordered to engrossment.

Assembly Bill No. 6—An act to add Section 4 to "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, authorizing the conveyance of certain lands to the United States Government, or to any agency thereof, to take effect immediately.

Bill read second time, and ordered to engrossment.

Senate Message.

SENATE CHAMBER, SACRAMENTO, December 2, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 1—An act making an appropriation for the expenses of the Senate for the Fifth Extraordinary Session of the Fifty-third Session of the Legislature, this act to take effect immediately.

J. A. BEEK, Secretary of Senate.

Request for Unanimous Consent.

Mr. Kuchel asked for, and was granted, unanimous consent to consider Senate Bill No. 1, at this time, without reference to committee or calendar.

Consideration of Senate Bill No. 1.

Senate Bill No. 1—An act making an appropriation for the expenses of the Senate for the Fifth Extraordinary Session of the Fifty-third Session of the Legislature.

Case of Urgency Resolution.

By Mr. Kuchel:

Resolved, That Senate Bill No. 1 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second, and third times, and placed upon its passage.

Resolution read.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Kuchel moved a call of the Assembly.

Motion carried. Time, eleven o'clock and five minutes a.m.

The Speaker directed the Sergeant-at-Arms to lock the doors, and to bring in all absent members.

Proceedings Under Call of the Assembly by Unanimous Consent.

Presentation of Bill for Introduction.

The following bill was presented for introduction, and referred to the Legislative Counsel Bureau:

Assembly Bill No. 7: By Mr. Desmond—An act making an appropriation for the expenses of the Assembly for the Fifth Extraordinary Session of the Fifty-third Session of the Legislature, this act to take effect immediately.

Further Proceedings Under Call of the Assembly Dispensed With on Urgency Resolution to Senate Bill No. 1.

At eleven o'clock and ten minutes a.m., on motion of Mr. Kuchel, further proceedings under the call of the Assembly were dispensed with.

The roll of absentees was called, and the urgency resolution to Senate Bill No. 1 adopted by the following vote:

AYES—Andreas, Atkinson, Bashore, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Del. Mitolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Honser, Johnson, Kellems, Kepple, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Meehan, Miller, Eleanor, Millington, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Sawallisch, Sendder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Whereupon, the Speaker declared the provisions of Article IV, Section 15, of the Constitution suspended for the purpose of further considering Senate Bill No. 1, at this time.

Second Reading of Senate Bill No. 1.

Senate Bill No. 1—An act making an appropriation for the expenses of the Senate for the Fifth Extraordinary Session of the Fifty-third Session of the Legislature, this act to take effect immediately.

Bill read second time.

Third Reading of Senate Bill No. 1.

Senate Bill No. 1—An act making an appropriation for the expenses of the Senate for the Fifth Extraordinary Session of the Fifty-third Session of the Legislature, this act to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Atkinson, Bashore, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Meehan, Miller, Eleanor; Millington, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Sawallisch, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Report of Standing Committee.

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, December 3, 1940.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined:

Assembly Bill No. 1.

Assembly Bill No. 4.

Assembly Bill No. 2.

Assembly Bill No. 5.

Assembly Bill No. 3.

Assembly Bill No. 6.

And reports the same correctly engrossed.

CASSIDY, Chairman.

Case of Urgency Resolution.

By Mr. Turner:

Resolved, That Assembly Bill No. 2 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Millington, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Whereupon, the Speaker declared the provisions of Article IV, Section 15, of the Constitution suspended for the purpose of further considering Assembly Bill No. 2, at this time.

Urgency Clause.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Knight, Kuchel, Leonard, Lore, Maloney, Massion, Meehan, Miller, Eleanor; Millington, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Third Reading of Assembly Bill No. 2.

Assembly Bill No. 2—An act to add Section 4041.21a to the Political Code, relating to the powers of boards of supervisors, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Honser, Johnson, Kellems, Kepple, Knight, Kuehel, Leonard, Lore, Maloney, Massion, Meehan, Miller, Eleanor; Millington, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Case of Urgency Resolution.

By Mr. Maloney:

Resolved, That Assembly Bill No. 1 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Bashore, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Honser, Johnson, Kellems, Kepple, Knight, Kuehel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Millington, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—56.

NOES—None.

Whereupon, the Speaker declared the provisions of Article IV, Section 15, of the Constitution suspended for the purpose of further considering Assembly Bill No. 1, at this time.

Urgency Clause.

Urgency clause read, and adopted by the following vote:

AYES—Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Honser, Johnson, Kellems, Kepple, King, Knight, Kuehel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Millington, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Sawallisch, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Third Reading of Assembly Bill No. 1.

Assembly Bill No. 1—An act to amend the title of "An act granting certain tidelands and submerged lands of the State of California to the City and County of San Francisco for development and use as a public airport, regulating the management, use, lease and control thereof, authorizing the reclamation and certain improvements of said lands and the construction and maintenance of a bridge or causeway connecting said lands with Yerba Buena Island," approved June 13, 1933, and to add a new section to be numbered Section 5 thereto, authorizing the City and County of San Francisco to permit the use of said lands, or any part thereof, by the United States of America for military or naval purposes, and providing that this act shall take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth,

Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, King, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Millington, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Sawall, Sch, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—61.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Case of Urgency Resolution.

By Mr. Richie:

Resolved, That Assembly Bill No. 3 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, King, Knight, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Millington, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Whereupon, the Speaker declared the provisions of Article IV, Section 15, of the Constitution suspended for the purpose of further considering Assembly Bill No. 3, at this time.

Urgency Clause.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, King, Knight, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Millington, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Third Reading of Assembly Bill No. 3.

Assembly Bill No. 3—An act to add Sections 5.11 and 5.113 to the School Code, relating to the State colleges; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Bashore, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, King, Knight, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Millington, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Weybret, Wollenberg, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Case of Urgency Resolution.

By Mr. Lyon:

Resolved, That Assembly Bill No. 4 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Atkinson, Bashore, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, King, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Millington, Pelletier, Phillips,

Poulson, Robertson, Salsman, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—59.
 NOES—None.

Whereupon, the Speaker declared the provisions of Article IV, Section 15, of the Constitution suspended for the purpose of further considering Assembly Bill No. 4, at this time.

Urgency Clause.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Atkinson, Bashore, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, King, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Millington, Pelletier, Phillips, Poulson, Robertson, Salsman, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—59.
 NOES—None.

Third Reading of Assembly Bill No. 4.

Assembly Bill No. 4—An act to add Article 2.5, comprising Sections 1160.1 to 1160.9, inclusive, to Chapter 2, Part 2, Division 1 of the Insurance Code, relating to investments in and taxation on comprehensive moderate cost housing projects (including apartments, tenements and dwelling houses, and accommodations for retail stores, shops, offices, and other community service and recreational facilities connected therewith) by insurers, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Atkinson, Bashore, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, King, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Millington, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Sawallisch, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—60.
 NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Case of Urgency Resolution.

By Mr. Robertson:

Resolved, That Assembly Bill No. 6 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Andreas, Atkinson, Bashore, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Collins, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Miller, Eleanor; Millington, O'Donnell, Pelletier, Phillips, Poulson, Robertson, Salsman, Sawallisch, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.
 NOES—None.

Whereupon, the Speaker declared the provisions of Article IV, Section 15, of the Constitution suspended for the purpose of further considering Assembly Bill No. 6, at this time.

Urgency Clause.

Urgency clause read, and adopted by the following vote:

AYES—Andreas, Atkinson, Bashore, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Collins, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Miller, Eleanor; Millington, O'Donnell, Pelletier, Phillips, Poul-

son, Robertson, Salsman, Sawallisch, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Third Reading of Assembly Bill No. 6.

Assembly Bill No. 6—An act to add Section 4 to "An act granting certain tidelands and submerged lands of the State of California to the city of Santa Barbara, subject to certain trusts," approved April 16, 1925, authorizing the conveyance of certain lands to the United States Government, or to any agency thereof, to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Andreas, Atkinson, Bashore, Bennett, Burns, Michael J., Burson, Carlson, Cassidy, Clarke, Collins, Crowley, Daley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Field, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Miller, Eleanor; Millington, O'Donnell, Pelletier, Phillips, Poulson, Robertson, Salsman, Sawallisch, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

House Resolution No. 9.

By Mr. Waters:

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named member of the Assembly for the amount set opposite his name, and the State Treasurer is hereby directed and ordered to pay the same.

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount of 5 cent per mile
37	S. L. Heisinger.....	Fresno, Fresno County.....	169	--	--	--	338	16 90

House Resolution No. 9 referred to the Committee on Mileage.

Introduction and Reference of Bills.

The following bill was reported back from the Legislative Counsel Bureau, read the first time, and ordered placed upon the calendar without reference to committee:

Assembly Bill No. 7: By Mr. Desmond—An act making an appropriation for the expenses of the Assembly for the Fifth Extraordinary Session of the Fifty-third Session of the Legislature, this act to take effect immediately.

Recess.

At eleven o'clock and twenty-five minutes a.m., on motion of Mr. Houser, the Assembly was declared at recess until the hour of three o'clock and thirty minutes p.m.

Reassembled.

At three o'clock and thirty minutes p.m., the Assembly reconvened. Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.

Senate Message.

SENATE CHAMBER, SACRAMENTO, December 3, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 2—An act to authorize the exchange of certain lands of the State in the county of San Luis Obispo for certain other lands required for armory purposes as defined in the Military and Veterans Code, and declaring the urgency thereof;

Senate Bill No. 3—An act to amend Sections 553, 554, 555 and 556 of the Military and Veterans Code, relating to the State Guard, to take effect immediately;

Senate Bill No. 4—An act to add Sections 862c and 862d to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the acquisition and operation of ferries by cities of the sixth class, either alone or jointly with other cities of the same class or counties, to take effect immediately.

J. A. BEEK, Secretary of Senate.

Senate Bills Nos. 2 and 3 ordered on calendar without reference to committee.

Case of Urgency Resolution.

By Mr. Crowley:

Resolved, That Senate Bill No. 4 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second time, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Allen, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Call, Cassidy, Clarke, Collins, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Gannon, Gilmore, Green, Heisinger, Johnson, Kilpatrick, Kuchel, Leonard, Lore, Maloney, Massion, Miller, Eleanor; Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Sawallisch, Seudder, Sheridan, Stream, Tenney, Thurman, Turner, Walker, Waters, Watson, Weber, Wollenberg, and Yorty—54.

NOES—None.

Whereupon, the Speaker declared the provisions of Article IV, Section 15, of the Constitution suspended for the purpose of further considering Senate Bill No. 4, at this time.

Second Reading of Senate Bill No. 4.

Senate Bill No. 4—An act to add Sections 862c and 862d to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the acquisition and operation of ferries by cities of the sixth class, either alone or jointly with other cities of the same class or counties, to take effect immediately.

Bill read second time.

Motion to Amend Senate Bill No. 4.

Mr. Crowley moved to amend Senate Bill No. 4 as follows:

Amendment No. 1.

On page 1, line 5, of the printed bill, before "ferry", insert the following: "existing".

Amendment No. 2.

On page 1, line 16, of the printed bill, before "ferry", insert the following: "existing".

Amendments adopted.

Bill read second time, ordered to reprint, and third reading.

Case of Urgency Resolution.

By Mr. Desmond:

Resolved, That Assembly Bill No. 7 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Allen, Atkinson, Bashore, Bennett, Burns, Michael J., Call, Cassidy, Clarke, Collins, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Fulcher, Gallagher, Gannon, Gilmore, Green, Heisinger, Johnson, Kilpatrick, Kuchel, Leonard, Lore, Maloney, Massion, Miller, Eleanor; Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Sawallisch, Sender, Sheridan, Stream, Tenney, Thurman, Turner, Walker, Waters, Watson, Weber, Wollenberg, and Yorty—54.

NOES—None.

Whereupon, the Speaker declared the provisions of Article IV, Section 15, of the Constitution suspended for the purpose of further considering Assembly Bill No. 7, at this time.

Second Reading of Assembly Bill No. 7.

Assembly Bill No. 7—An act making an appropriation for the expenses of the Assembly for the Fifth Extraordinary Session of the Fifty-third Session of the Legislature, this act to take effect immediately.

Bill read second time.

Third Reading of Assembly Bill No. 7.

Assembly Bill No. 7—An act making an appropriation for the expenses of the Assembly for the Fifth Extraordinary Session of the Fifty-third Session of the Legislature, this act to take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Allen, Atkinson, Bashore, Bennett, Burns, Michael J., Call, Cassidy, Clarke, Collins, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Fulcher, Gallagher, Gannon, Gilmore, Green, Heisinger, Johnson, Kilpatrick, Kuchel, Leonard, Lore, Maloney, Massion, Miller, Eleanor; Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Sawallisch, Sender, Sheridan, Stream, Tenney, Thurman, Turner, Walker, Waters, Watson, Weber, Wollenberg, and Yorty—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Adjournment.

At three o'clock and forty-five minutes p.m., on motion of Mr. Desmond, the Speaker declared the Assembly adjourned this day until eleven o'clock a.m., Wednesday, December 4, 1940.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (FIFTH EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

THIRD LEGISLATIVE DAY
THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,
SACRAMENTO, Wednesday, December 4, 1940.

At eleven o'clock a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.
Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The following members answered to the roll call:

Allen, Andreas, Atkinson, Bashore, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor, Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Pomison, Richie, Robertson, Salsman, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Williamson, Wollenberg, Yorty, and Mr. Speaker—73.

Quorum present.

Prayer.

Prayer was offered by Rev. Alfred Tommess, Executive Secretary of Church Councils of Sacramento.

Reading of the Journal Dispensed With.

On motion of Mr. Stream, the further reading of the Journal of Tuesday, December 3, 1940, was dispensed with.

Leave of Absence for the Day.

The following member was granted leave of absence for the day:
Mr. Field, on motion of Mr. Kellems.

Second Reading of Senate Bills.

Senate Bill No. 4—An act to add Sections 862c and 862d to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the acquisition and operation of ferries by cities of the sixth class, either alone or jointly with other cities of the same class or counties, to take effect immediately.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 2—An act to authorize the exchange of certain lands of the State in the County of San Luis Obispo for certain other lands required for armory purposes as defined in the Military and Veterans Code, and declaring the urgency thereof.

Bill read second time, and ordered on third reading calendar.

Senate Bill No. 3—An act to amend Sections 253, 254, 255 and 256 of the Military and Veterans Code, relating to the State Guard, to take effect immediately.

Bill read second time, and ordered on third reading calendar.

Report of Standing Committee.

On Mileage.

ASSEMBLY CHAMBER, SACRAMENTO, December 4, 1940.

MR. SPEAKER: Your Committee on Mileage, to which was referred:

House Resolution No. 9.

Respectfully reports the same back with the recommendation: Be adopted.

WATERS, Chairman.

House Resolution No. 9.

By Mr. Waters:

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named member of the Assembly for the amount set opposite his name, and the State Treasurer is hereby directed and ordered to pay the same.

District	Name	Address	Distance from county seat.	Distance from county seat, more	Distance from county seat, less.	Mileage one way	Total mileage	Amount at 5 cents per mile.
37	S. L. Heisinger	Fresno, Fresno County	169				338	\$16.90

House Resolution No. 9 read, and adopted by the following vote:

AYES—Bashore, Burns, Michael J., Burson, Call, Carlson, Clarke, Collins, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dills, Donnelly, Doyle, Evans, Fulcher, Gallagher, Gannon, Green, Hawkins, Heisinger, Johnson, Kellem, Kepple, Knight, Kuchel, Leonard, Lore, Maloney, Massion, Meahan, Miller, Eleanor, Miller, George P., Millington, O'Day, Pelletier, Poulson, Richie, Salsman, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weybret, Wollenberg, and Mr. Speaker—53.

NOES—None.

Senate Messages.

SENATE CHAMBER, SACRAMENTO, December 3, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 3.

Assembly Bill No. 6.

Assembly Bill No. 2.

Assembly Bill No. 1.

Assembly Bill No. 7.

J. A. BEEK, Secretary of Senate.

The above reported bills ordered to enrollment.

SENATE CHAMBER, SACRAMENTO, December 3, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 5—An act to add Sections 5.11 and 5.113 to the School Code, relating to the State colleges; declaring the urgency thereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.

Senate Bill No. 5 ordered on calendar without reference to committee.

Presentation of Bill for Introduction.

The following bill was presented for introduction, and referred to the Legislative Counsel Bureau:

Assembly Bill No. 8: By Mr. Scudder—An act to amend Sections 39, 40, 41 and 42 of, and add Sections 41.1, 41.2 and 41.3 to the Unemployment Insurance Act, relating to experience rating, and to provide that this act take effect immediately.

Introduction and Reference of Bill.

The following bill was reported back from the Legislative Counsel Bureau, and read the first time:

Assembly Bill No. 8: By Mr. Scudder—An act to amend Sections 39, 40, 41 and 42 of, and add Sections 41.1, 41.2 and 41.3 to the Unemployment Insurance Act, relating to experience rating, and to provide that this act take effect immediately.

Referred to Committee on Revenue and Taxation.

Introduction and Reference of Bills (Resumed).

The following bill was introduced, and read the first time:

Assembly Concurrent Resolution No. 1: By Messrs. Dills and Bashore—Relative to requesting the Secretary of Agriculture to investigate the possibility of extending the Federal Commodity Stamp Plan.

Request for Unanimous Consent.

Mr. Dills asked for, and was granted, unanimous consent to consider Assembly Concurrent Resolution No. 1, at this time, without reference to print, committee or calendar, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 1.

Assembly Concurrent Resolution No. 1—Relative to requesting the Secretary of Agriculture to investigate the possibility of extending the Federal Commodity Stamp Plan.

Assembly Concurrent Resolution No. 1 read, and adopted by the following vote:

AYES—Atkinson, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Clarke, Collins, Cronin, Crowley, Daley, Del Muto, Desmond, Dills, Dilworth, Donnelly, Doyle, Fulcher, Gallagher, Gannon, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Knight, Kuebel, Leonard, Lore, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, Pelletier, Poulson, Richie, Robertson, Salsman, Sawallisch, Seudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—59.

NOES—None.

Title read and approved. Bill ordered to print and transmitted to the Senate.

Assembly Concurrent Resolution No. 1.

Relative to requesting the Secretary of Agriculture to investigate the possibility of extending the Federal Commodity Stamp Plan.

WHEREAS, The Secretary of Agriculture, through the Federal Surplus Commodities Corporation and the Federal Surplus Marketing Administration, administers a program of distributing surplus commodities to certain classes of needy persons; and

WHEREAS, Under the recently devised "stamp" plan, recipients of commodity stamps may exchange them at regular places of private business for designated commodities; and

WHEREAS, Those persons eligible to receive such stamps are greatly benefited by the high quality of nourishing food and well-made clothing obtainable; and

WHEREAS, Farmers and manufacturers are benefited by the plan as they are thereby enabled to widen their market and dispose of their surpluses; and

WHEREAS, Many persons who are ill-fed and ill-clothed are not now included in the program; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring. That the Secretary of Agriculture is hereby urged and requested to study

the feasibility of extending the benefits of the commodity stamp program to additional low income groups; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to send copies of this resolution to the Secretary of Agriculture, the Federal Surplus Commodity Corporation, and the Federal Surplus Marketing Administration in San Francisco.

Case of Urgency Resolution.

By Mr. Burns, Michael J. :

Resolved, That Senate Bill No. 3 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read, and adopted by the following vote :

AYES—Atkinson, Bennett, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Clarke, Collins, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Fulcher, Gallagher, Gannon, Green, Heisinger, Houser, Johnson, Kellems, Kuchel, Leonard, Lore, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Sawallisch, Seudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—59.

NOES—None.

*Whereupon, the Speaker declared the provisions of Article IV, Section 15, of the Constitution suspended for the purpose of further considering Senate Bill No. 3, at this time.

Urgency Clause.

Urgency clause read, and adopted by the following vote :

AYES—Atkinson, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Clarke, Collins, Cronin, Crowley, Daley, Del Mutolo, Desmond, Dilworth, Donnelly, Doyle, Evans, Fulcher, Gallagher, Gannon, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kuchel, Leonard, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Richie, Salsman, Sawallisch, Seudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Wollenberg, Yorty, and Mr. Speaker—55.

NOES—None.

Third Reading of Senate Bill No. 3.

Senate Bill No. 3—An act to amend Sections 253, 254, 255 and 256 of the Military and Veterans Code, relating to the State Guard, to take effect immediately.

Bill read third time, and passed by the following vote :

AYES—Bashore, Burns, Hugh M., Burns, Michael J., Burson, Call, Cassidy, Clarke, Collins, Cronin, Crowley, Dills, Donnelly, Doyle, Evans, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., O'Day, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Walker, Waters, Watson, Weber, Weybret, Wollenberg, and Mr. Speaker—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Third Reading of Senate Bill No. 4.

Senate Bill No. 4—An act to add Sections 862c and 862d to an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the acquisition and operation of ferries by cities of the sixth class, either alone or jointly with other cities of the same class or counties, to take effect immediately.

Bill read third time.

Urgency Clause.

Urgency clause read, and adopted by the following vote :

AYES—Allen, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Clarke, Collins, Cronin, Crowley, Daley, Desmond, Dilworth, Donnelly, Doyle, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems,

Kepple, Kuchel, Leonard, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Poulson, Richie, Robertson, Salsman, Sawallisch, Seudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—58.

NOES—None.

Bill read third time, and passed by the following vote:

AYES—Allen, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Clarke, Collins, Cronin, Crowley, Daley, Desmond, Dilworth, Donnelly, Doyle, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kuchel, Leonard, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Poulson, Richie, Robertson, Salsman, Sawallisch, Seudder, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—58.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Assembly Bill No. 5 Ordered Withdrawn and Stricken from the Calendar.

On motion of Mr. Crowley, Assembly Bill No. 5 was ordered withdrawn and stricken from the calendar.

Re-reference of Bills.

By order of the Speaker, the following bill was withdrawn from the calendar, and re-referred as follows:

Senate Bill No. 5 re-referred to Committee on Education.

Case of Urgency Resolution.

By Mr. Burns, Michael J.:

Resolved, That Senate Bill No. 2 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read, and adopted by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Clarke, Collins, Cronin, Crowley, Daley, Desmond, Dilworth, Donnelly, Doyle, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, King, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Richie, Salsman, Sawallisch, Seudder, Stream, Tenney, Thorp, Thurman, Turner, Walker, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—59.

NOES—None.

Whereupon, the Speaker declared the provisions of Article IV, Section 15, of the Constitution suspended for the purpose of further considering Senate Bill No. 2, at this time.

Urgency Clause.

Urgency clause read, and adopted by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Clarke, Collins, Cronin, Crowley, Daley, Desmond, Dilworth, Donnelly, Doyle, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, King, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Richie, Salsman, Sawallisch, Seudder, Stream, Tenney, Thorp, Thurman, Turner, Walker, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—59.

NOES—None.

Third Reading of Senate Bill No. 2.

Senate Bill No. 2—An act to authorize the exchange of certain lands of the State in the county of San Luis Obispo for certain other lands required for armory purposes as defined in the Military and Veterans Code, and declaring the urgency thereof.

Bill read third time, and passed by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Clarke, Collins, Cronin, Crowley, Daley, Desmond, Dilworth, Donnelly, Doyle, Fulcher, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson,

Kellems, Kepple, King, Kuchel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Richie, Salsman, Sawallisch, Seudder, Stream, Tenney, Thorp, Thurman, Turner, Walker, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—59.
 NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

House Resolution No. 10.

By the Committee on Mileage:

Resolved by the Assembly of the State of California, That House Resolutions Nos. 5 and 9 are hereby repealed; and be it further resolved that the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite their names, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance from county seat.	Distance from county seat, more.	Distance from county seat, less.	Mileage one way	Total mileage.	Amount at 5 cents per mile.
1	Michael J. Burns	Eureka, Humboldt County	312	--	--	--	624	\$31 20
2	Clinton J. Fulcher	Lookout, Modoc County	324	--	44	280	560	28 00
3	John H. O'Donnell	Woodland, Yolo County	23	--	--	--	46	2 30
4	Seth Millington	Gridley, Butte County	86	--	14	72	144	7 20
5	Ernest C. Crowley	Suisun, Solano County	48	--	--	--	96	4 80
6	Allen G. Thurman	Colfax, Placer County	37	17	--	54	108	5 40
7	Hubert B. Seudder	Sebastopol, Sonoma County	90	7	--	97	194	9 70
8	Chester F. Gannon	Sacramento, Sacramento County	--	--	--	--	--	--
9	Earl D. Desmond	Sacramento, Sacramento County	--	--	--	--	--	--
10	Harold F. Sawallisch	Richmond, Contra Costa County	62	22	--	84	168	8 40
11	Charles M. Weber	Stockton, San Joaquin County	48	--	--	--	96	4 80
12	James E. Thorp	Lockeford, San Joaquin County	48	--	3	45	90	4 50
13	James M. Cassidy	Oakland, Alameda County	84	--	--	--	168	8 40
14	George P. Miller	Alameda, Alameda County	84	5	--	89	178	8 90
15	Bernard A. Sheridan	Oakland, Alameda County	84	--	--	--	168	8 40
16	Arthur W. Carlson	Piedmont, Alameda County	84	--	--	--	168	8 40
17	Henry P. Meehan	Oakland, Alameda County	84	--	--	--	168	8 40
18	James H. Phillips	Oakland, Alameda County	84	--	--	--	168	8 40
19	Gardiner Johnson	Berkeley, Alameda County	84	--	1	83	166	8 30
20	Thomas A. Maloney	San Francisco, San Francisco County	90	--	--	--	180	9 00
21	Joseph P. Gilmore	San Francisco, San Francisco County	90	--	--	--	180	9 00
22	George D. Collins, Jr.	San Francisco, San Francisco County	90	--	--	--	180	9 00
23	Dan Gallagher	San Francisco, San Francisco County	90	--	--	--	180	9 00
24	Edward F. O'Day	San Francisco, San Francisco County	90	--	--	--	180	9 00
25	Melvin I. Cronin	San Francisco, San Francisco County	90	--	--	--	180	9 00
26	Ray Williamson	San Francisco, San Francisco County	90	--	--	--	180	9 00
27	Albert C. Wollenberg	San Francisco, San Francisco County	90	--	--	--	180	9 00
28	Robert Miller Green	San Francisco, San Francisco County	90	--	--	--	180	9 00
29	Harrison W. Call	Redwood City, San Mateo County	119	--	--	--	238	11 90
30	Byrl R. Salsman	Palo Alto, Santa Clara County	128	18	--	146	292	14 60
31	M. G. Del Mutolo	San Jose, Santa Clara County	128	--	--	--	256	12 80
32	Hugh P. Donnelly	Turlock, Stanislaus County	77	14	--	91	182	9 10
33	George A. Clarke	LeGrand, Merced County	114	15	--	129	258	12 90
34	Jacob M. Leonard	Hollister, San Benito County	173	--	--	--	346	17 30
35	Fred Weybret	Soledad, Monterey County	208	21	--	232	464	23 20
36	Hugh M. Burns	Fresno, Fresno County	169	--	--	--	338	16 90
37	S. L. Heisinger	Fresno, Fresno County	169	--	--	--	338	16 90
38	Gordon H. Garland	Woodlake, Tulare County	206	16	--	222	444	22 20
39	Alfred W. Robertson	Santa Barbara, Santa Barbara County	460	--	--	--	920	46 00
40	Roscoe W. Burson	Fillmore, Ventura County	490	27	--	517	1034	51 70
41	Rodney L. Turner	Delano, Kern County	278	--	30	248	496	24 80
42	Elmer E. Lore	North Hollywood, Los Angeles County	447	--	--	--	894	22 35
43	C. Don Field	Glendale, Los Angeles County	447	--	10	437	874	43 70
44	John B. Pelletier	Los Angeles, Los Angeles County	447	--	--	--	894	44 70
45	Thomas J. Doyle	Los Angeles, Los Angeles County	447	--	--	--	894	44 70
46	Jack B. Tenney	Inglewood, Los Angeles County	447	10	--	457	914	45 70
47	Eleanor Miller	Pasadena, Los Angeles County	447	13	--	460	920	46 00
48	T. Fenton Knight	La Canada, Los Angeles County	447	16	--	463	926	28 15
49	Lee T. Bashore	Glendora, Los Angeles County	447	26	--	473	946	47 30
50	Gerald C. Kepple	Whittier, Los Angeles County	447	15	--	462	924	46 20
51	F. Ray Bennett	Los Angeles, Los Angeles County	447	--	--	--	894	44 70
52	Frederick F. Houser	Alhambra, Los Angeles County	447	9	--	456	912	45 60
53	Wilbur F. Gilbert	Los Angeles, Los Angeles County	447	--	--	--	894	44 70
54	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	--	--	--	894	44 70
55	Norris Poulson	Los Angeles, Los Angeles County	447	--	--	--	894	44 70
56	Charles W. Lyon	Los Angeles, Los Angeles County	447	--	--	--	894	44 70

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
60	Jesse Randolph Kellems	Los Angeles, Los Angeles County	447			894	\$44 70	
61	Ernest O. Voigt	Los Angeles, Los Angeles County	447			894	44 70	
62	Augustus F. Hawkins	Los Angeles, Los Angeles County	447			894	44 70	
63	Don A. Allen	Los Angeles, Los Angeles County	447			894	44 70	
64	Samuel W. Yorty	Los Angeles, Los Angeles County	447			894	44 70	
65	John W. Evans	Los Angeles, Los Angeles County	447			894	44 70	
66	Jack Massion	Los Angeles, Los Angeles County	447			894	44 70	
67	Cecil R. King	Los Angeles, Los Angeles County	447			894	44 70	
69	Ralph C. Dills	Compton, Los Angeles County	447	18		465	930	46 50
70	Maurice E. Atkinson	Long Beach, Los Angeles County	447	22		469	938	46 90
72	Godfrey A. Andreas	Upland, San Bernardino County	508	22		530	1060	53 00
74	Clyde A. Watson	Orange, Orange County	481				962	48 10
75	Thomas A. Kuchel	Anaheim, Orange County	481	7		488	976	48 80
76	Nelson S. Dilworth	Hemet, Riverside County	512	34		546	1092	54 60
77	Clarence R. Walker	Westmorland, Imperial County	661		33	639	1278	63 90
78	Jeanette E. Daley	San Diego, San Diego County	573				1146	57 30
79	Paul A. Richie	San Diego, San Diego County	573				1146	57 30
80	Charles W. Stream	Palm City, San Diego County	573	13		586	1172	58 60

Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Jack Carl Greenburg	Los Angeles, Los Angeles County				894	\$89 40	
David V. Oliver	Merced, Merced County				228	22 80	
Wilkie Ogg	Sacramento, Sacramento County						

WATERS, Chairman.

Request for Unanimous Consent.

Mr. Waters asked for, and was granted, unanimous consent to consider House Resolution No. 10, at this time, without reference to committee.

House Resolution No. 10 read, and adopted by the following vote:

AYES—Allen, Andreas, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Clarke, Collins, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Fulcher, Gallagher, Gaumn, Gilmore, Green, Hawkins, Heisinger, Johnson, Kellems, Kepple, Kilpatrick, King, Kuchel, Leonard, Lore, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, O'Donnell, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Sawallisch, Scudder, Stream, Tenney, Thorp, Thurman, Turner, Walker, Waters, Watson, Weber, Weyhret, Wollenberg, Yorty, and Mr. Speaker—61.

NOES—None.

House Resolution No. 11.

By Mr. Thorp:

Relative to the termination of the legislative services of the Honorable Hubert B. Scudder.

WHEREAS, This year marks the termination of the legislative services of the Honorable Hubert B. Scudder, member from the Seventh Assembly District, who did not choose to run for reelection; and

WHEREAS, That career commenced sixteen years ago when our colleague was first elected in 1924 and continued without a break through the Forty-sixth to the Fifty-third Session, inclusive, together with numerous extraordinary sessions during that period, during all of which time our colleague served the people of his district and the State of California with distinction, zeal, and faithful devotion to their best interests; and

WHEREAS, In addition to his other sterling qualities and outstanding accomplishments our colleague is further noted for his services as a vice president of the Republican State Central Committee and likewise as a consistent champion and exponent of the supremacy of the Gravenstein apple; and

WHEREAS, It is with real regret and with a genuine sense of loss that the members of this Assembly view the departure of the Honorable Hubert B. Scudder from their ranks; now, therefore, be it

Resolved by the Assembly of the State of California, That the members of the Assembly hereby express to the Honorable Hubert B. Scudder their thanks and appreciation for his sixteen years of service and their regrets at his departure from this body and also their best wishes for the future; and be it further

Resolved, That a suitably prepared copy of this resolution be presented by the Chief Clerk of the Assembly to the Honorable Hubert B. Scudder.

Request for Unanimous Consent.

Mr. Thorp asked for, and was granted, unanimous consent to consider House Resolution No. 11, at this time, without reference to committee.

House Resolution No. 11 read, and adopted unanimously.

House Resolution No. 12.

By Mr. Robertson:

Relative to the termination of the legislative services of sixteen members of the Assembly.

WHEREAS, This extraordinary session of the Legislature affords to its members unique opportunity of greeting and bidding farewell to those of its members who will not return in that capacity upon the convening of the Fifty-fourth Session of the Legislature; and

WHEREAS, The commencement of the Fifty-fourth Session will find sixteen seats in this house occupied by new faces in place of men who are here as members today, namely Maurice E. Atkinson, Roseoe W. Burson, Gordon W. Corwin, Clinton J. Fulcher, Chester F. Gannon, Wilbur F. Gilbert, Joseph P. Gilmore, Thomas H. Kuchel, Elmer E. Lore, George P. Miller, John H. O'Donnell, Kent H. Redwine, Hubert B. Scudder, Clarence R. Walker, Ray Williamson and Samuel W. Yorty; now, therefore, be it

Resolved by the Assembly of the State of California, That the members of the Assembly hereby extend their thanks to each and all of the foregoing members for their services as members of this body; and be it further

Resolved, That a suitably prepared copy of this resolution be presented by the Chief Clerk of the Assembly to each of the above named members.

Request for Unanimous Consent.

Mr. Robertson asked for, and was granted, unanimous consent to consider House Resolution No. 12, at this time, without reference to committee.

House Resolution No. 12 read, and adopted unanimously.

Motion to Print Remarks in the Journal.

On motion of Mr. Doyle, the following remarks by Mr. Robertson were ordered printed in the Journal:

MR. SPEAKER: Although this resolution was introduced by me and bears my name, may I say what you have already guessed—that it emanates from the mind of, and the kindly thoughts of, our good friend Charlie Lyon.

Again, Sol's swift wheel has quickly rolled and the Fifty-third Session of this Legislature is a tale that's told. And so,

To you Maurice Atkinson, whose youthful exuberance and demeanor has so amazed us;

To you Roseoe Burson, coming from my adjoining county and who has so patently enjoyed with us not only the work within but also outside of the Legislature;

To you Gordon Corwin, whose innate modesty has concealed a goodly field of work well done;

To you Clinton Fulcher, coming down from the mountain counties, who has so enjoyed Sacramento life after work well done;

To you Chester Gannon, whose booming voice and kindly demeanor have so endeared you to us all;

To you Wilbur Gilbert, although bowed down by sickness, has stood so sincerely for the good of "your" people;

To you Joseph Gilmore, who has come off and on over so long a period to this Assembly and so well played your part;

To you Tommy Kuchel, who is departing to be our superior in the "House of Lords" clothed in the mantle of the leadership of the Republican Party in this State, but still beloved;

To you Elmer Lore, my seat mate, whose sincerity in the advocacy of those things in which you believe has enlisted the respect and admiration of all of us;

To you George Miller, who has worked so strenuously for "your university";

To you, John O'Donnell, who has come to us from a nearby county, who has heaved so closely to the line of your belief, unheeding of all outside influence;

To you Kent Redwine, who, although seemingly so unfairly dealt with by fortune, has still been one of the grandest guys who ever stood in this hall;

To you Hubert Scudder, whose long and consistent service has been of inestimable value to the people of this State;

To you Clarence Walker, whose innate modesty has covered a wealth of valuable service;

To you Ray Williamson, whose many years of constructive service have made you a leader in these halls; and

To you Sam Yorty, whose change of belief, carrying you from the ridiculous to the sublime, has been a marvel to us all;

We say good-bye.

We hate to see you go; we love you; we love you all. May fortune deal kindly with you and crown your every effort with success. Good luck—good-bye.

Recess.

At eleven o'clock and five minutes a.m., on motion of Mr. Desmond, the Assembly was declared at recess until the hour of eleven o'clock and fifteen minutes a.m.

Reassembled.

At eleven o'clock and fifteen minutes a.m., the Assembly reconvened.

Hon. Gardiner Johnson, Speaker pro tempore of the Assembly, in the chair.

House Resolution No. 13.

By Mr. Yorty:

WHEREAS, On New Year's Day next at Pasadena, California, two great football teams will meet in the annual Rose Bowl game; and

WHEREAS, The sturdy sons of Nebraska have accepted an invitation to meet the great Stanford team in said game; and

WHEREAS, All Californians are highly pleased to welcome the Nebraska team to California for its first visit; and

WHEREAS, The Nebraska team has won great esteem by its prowess and sportsmanship, during many years of consistently successful competition against the nation's leading teams; now, therefore, be it

Resolved, That the Assembly of the California Legislature does hereby congratulate the University of Nebraska on its successful football season and wishes the splendid cornhusker squad a pleasant and successful journey to California; and be it further

Resolved, That the Chief Clerk be and he is hereby instructed to send copies of this resolution, suitably engrossed, to Coach Major "Biff" Jones of Nebraska, the University of Nebraska, and to the Governor of Nebraska, through whom we hereby extend a cordial invitation to all Nebraskans to accompany their fine team to California for the Tournament of Roses and the Rose Bowl game.

Request for Unanimous Consent.

Mr. Yorty asked for, and was granted, unanimous consent to consider House Resolution No. 13, at this time, without reference to committee.

House Resolution No. 13 read, and adopted unanimously.

House Resolution No. 14.

By Messrs. Tenney, Yorty, Gannon, Bashore, Kellems, Phillips, Carlson, Clarke, Call, Dilworth, Waters, Allen; Mrs. Daley, and Miss Miller:

WHEREAS, There has for the last several years been an investigation conducted by a committee of the United States Congress, headed by Martin Dies, to unearth and bring to light all subversive and un-American activities being carried on in the United States; and

WHEREAS, In this period of National emergency when every step must be taken to stamp out all elements in this country who are seeking to deter and ruin the Program of National Defense and to destroy the democracy which exists in this Nation; and

WHEREAS, The Dies Committee has and still is performing work of inestimable value in exposing the subversive and destructive forces operating in this country and

in awakening the American people to realization of these dangers in our midst; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress of the United States is respectfully urged to continue the operation of the Dies Committee; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby requested to transmit copies of this resolution to the Vice President of the United States, the Speaker of the House of Representatives, and to each Senator and member of the House of Representatives from California in the Congress of the United States, and that such Senators and Representatives from California are hereby respectfully urged to support such legislation.

Request for Unanimous Consent.

Mr. Tenney asked for, and was granted, unanimous consent to consider House Resolution No. 14, at this time, without reference to committee.

House Resolution No. 14 read, and adopted unanimously.

Senate Message.

SENATE CHAMBER, SACRAMENTO, December 4, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 6—An act making an additional appropriation to The Adjutant General and the California National Guard in augmentation of the appropriation made by Item 133 of the Budget Act of 1939, for the purpose therein specified, declaring the urgency hereof, and providing that this act shall take effect immediately;

Senate Bill No. 7—An act making an additional appropriation to the emergency fund specified in Item 212 of the Budget Act of 1939, to be expended as provided therein, declaring the urgency hereof, and providing that this act shall take effect immediately.

J. A. BEEK, Secretary of Senate.

Senate Bill No. 7 ordered on second reading calendar.

Request for Unanimous Consent.

Mr. Weybret asked for, and was granted, unanimous consent to consider Senate Bill No. 6, at this time, without reference to committee or calendar.

Consideration of Senate Bill No. 6.

Senate Bill No. 6—An act making an additional appropriation to The Adjutant General and the California National Guard in augmentation of the appropriation made by Item 133 of the Budget Act of 1939, for the purpose therein specified, declaring the urgency hereof, and providing that this act shall take effect immediately.

Case of Urgency Resolution.

By Mr. Weybret:

Resolved, That Senate Bill No. 6 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called.

Call of the Assembly.

Pending the announcement of the vote, Mr. Weybret moved a call of the Assembly.

Motion carried. Time, eleven o'clock and sixteen minutes a.m.

The Speaker directed the Sergeant-at-Arms to lock the doors, and to bring in all absent members.

Proceedings Under Call of the Assembly by Unanimous Consent.**Senate Message.**

SENATE CHAMBER, SACRAMENTO, December 4, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Bill No. 4.**Assembly Concurrent Resolution No. 1.**

J. A. BEEK, Secretary of Senate.

The above reported bills ordered to enrollment.

Further Proceedings Under Call of the Assembly Dispensed With on Urgency Resolution to Assembly Bill No. 6.

At eleven o'clock and eighteen minutes a.m., on motion of Mr. Weybret, further proceedings under the call of the Assembly were dispensed with.

The roll of absentees was called, and the urgency resolution to Senate Bill No. 18 adopted by the following vote:

AYES—Atkinson, Bashore, Burns, Hugh M., Burns, Michael J., Burson, Call, Cassidy, Clarke, Collins, Cronin, Crowley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Walker, Waters, Watson, Weber, Weybret, and Wollenberg—57.

NOES—None.

Whereupon, the Speaker declared the provisions of Article IV, Section 15, of the Constitution suspended for the purpose of further considering Senate Bill No. 6, at this time.

Second Reading of Senate Bill No. 6.

Senate Bill No. 6—An act making an additional appropriation to The Adjutant General and the California National Guard in augmentation of the appropriation made by Item 133 of the Budget Act of 1939, for the purpose therein specified, declaring the urgency hereof, and providing that this act shall take effect immediately.

Bill read second time.

Urgency clause read, and adopted by the following vote:

AYES—Atkinson, Bashore, Burns, Hugh M., Burns, Michael J., Burson, Call, Cassidy, Clarke, Collins, Cronin, Crowley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Walker, Waters, Watson, Weber, Weybret, and Wollenberg—57.

NOES—None.

Third Reading of Senate Bill No. 6.

Senate Bill No. 6—An act making an additional appropriation to The Adjutant General and the California National Guard in augmentation of the appropriation made by Item 133 of the Budget Act of 1939, for the purpose therein specified, declaring the urgency hereof, and providing that this act shall take effect immediately.

Bill read third time, and passed by the following vote:

AYES—Atkinson, Bashore, Burns, Hugh M., Burns, Michael J., Burson, Call, Cassidy, Clarke, Collins, Cronin, Crowley, Del Mutolo, Dills, Dilworth, Donnelly, Doyle, Evans, Gallagher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kepple, Kilpatrick, King, Knight, Kuchel, Leonard, Lyon, Maloney, Massion, Meehan, Miller, Eleanor; Miller, George P., Millington, O'Day, Pelletier, Phillips, Poulson, Richie, Robertson, Salsman, Sawallisch, Sheridan, Stream, Tenney, Thorp, Thurman, Walker, Waters, Watson, Weber, Weybret, and Wollenberg—57.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Recess.

At eleven o'clock and twenty-two minutes a.m., on motion of Mr. Knight, the Assembly was declared at recess until the hour of three o'clock p.m.

Reassembled.

At three o'clock p.m., the Assembly reconvened.

Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.

Report of Standing Committee.**On Revenue and Taxation.**

ASSEMBLY CHAMBER, SACRAMENTO, December 4, 1940.

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 8.

Respectfully reports the same back with the recommendation: Do pass.

TURNER, Chairman.

Second Reading of Assembly Bill No. 8.

Assembly Bill No. 8—An act to amend Sections 39, 40, 41 and 42 of, and to add Sections 41.1, 41.2 and 41.3 to the Unemployment Insurance Act, relating to experience rating, and to provide that this act take effect immediately.

Committee Amendments to Assembly Bill No. 8.

The following amendments were submitted by the committee:

Amendment No. 1.

In lines 3 and 4 of the title of the printed bill, strike out ", and to provide that this act take effect immediately".

Amendment No. 2.

On page 6 of the printed bill, strike out lines 14 to 37, inclusive, and insert in lieu thereof the following:

"SEC. 8. This act and the amendments it makes to the Unemployment Insurance Act, irrespective of its effective date, shall be construed, applied, and made operative as though it were in effect on January 1, 1941."

Amendments adopted.

Bill read second time, ordered to reprint, and engrossment.

Adjournment.

At three o'clock and five minutes p.m., on motion of Mr. Desmond, the Speaker declared the Assembly adjourned this day until ten o'clock and thirty minutes a.m., Thursday, December 5, 1940.

DAVID V. OLIVER, Minute Clerk.

CALIFORNIA LEGISLATURE
FIFTY-THIRD (FIFTH EXTRAORDINARY) SESSION

ASSEMBLY DAILY JOURNAL

FOURTH LEGISLATIVE DAY
FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER,

SACRAMENTO, Thursday, December 5, 1940.

At ten o'clock and thirty minutes a.m., pursuant to adjournment, the Assembly was called to order.

Hon. Gardiner Johnson, Speaker pro tempore of the Assembly, in the chair.

Chief Clerk Jack Carl Greenburg at the desk.

Roll Call.

The following members answered to the roll call:

Allen, Bashore, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Cronin, Crowley, Daley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Fulcher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Kuehel, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, George P., Millington, O'Donnell, Pelletier, Phillips, Richie, Robertson, Sawallisch, Seudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, Yorty, and Mr. Speaker—63.

Quorum present.

Prayer.

Prayer was offered by Rev. Jesse Randolph Kellems, Assemblyman from the Sixtieth Assembly District.

Reading of the Journal Dispensed With.

On motion of Mr. Desmond, the further reading of the Journal of Wednesday, December 4, 1940, was dispensed with.

Leaves of Absence for the Day.

The following members were granted leaves of absence for the day:

Mr. Field, on motion of Mr. Kellems.

Mr. Poulson, on motion of Mr. Tenney.

Mr. Atkinson, on motion of Mr. Clarke.

Mr. Salsman, on motion of Mr. Clarke.

Mr. Del Mutolo, on motion of Mr. Dilworth.

Mr. Williamson, on motion of Mr. Cronin.
 Mr. O'Day, on motion of Mr. Cronin.
 Mr. Gallagher, on motion of Mr. Cronin.
 Miss Miller, Eleanor, on motion of Mr. Dills.
 Mr. Bennett, on motion of Mr. Kilpatrick.
 Mr. Andreas, on motion of Mr. Dilworth.

Senate Message.

SENATE CHAMBER, SACRAMENTO, December 4, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 4.

J. A. BEEK, Secretary of the Senate.

House Resolution No. 15.

By Mr. Doyle:

Relative to use of vehicle headlamps.

WHEREAS, With utter disregard for the safety of themselves and others, and in clear violation of Section 649 of the Vehicle Code, many motorists driving upon the highways of this State fail to dim or otherwise control the distribution of light from the headlamps of their vehicles in approaching oncoming vehicles; and

WHEREAS, Such neglect has been the principal cause of many of our highway fatalities; and

WHEREAS, All law enforcement agencies should bend every effort toward reminding the motorists of this State of their responsibilities and duties in the matter of vehicular headlamp control; now, therefore, be it

Resolved by the Assembly of the State of California, That the Chief of the California Highway Patrol and the chief of police of each city in this State are each hereby respectfully requested to make every possible effort to apprehend every motorist who fails to dim the headlamps of his vehicle upon the approach of an oncoming vehicle in accordance with law; and be it further

Resolved, That copies of this resolution be sent to the Chief of the California Highway Patrol and the chief of police of each city in this State.

Request for Unanimous Consent.

Mr. Doyle asked for, and was granted, unanimous consent to consider House Resolution No. 15, at this time, without reference to committee.

House Resolution No. 15 read, and adopted by the following vote:

AYES—Allen, Bashore, Burns, Michael J., Call, Carlson, Clarke, Cronin, Crowley, Desmond, Dilworth, Donnelly, Doyle, Fulcher, Gannon, Heisinger, Houser, Johnson, Kellens, Kilpatrick, Lyon, Maloney, Massion, Meehan, Miller, George P., Pelletier, Phillips, Robertson, Scudder, Stream, Thorp, Thurman, Turner, Walker, Waters, Watson, Weybret, and Wollenberg—37.

NOES—Hawkins, Lore, Richie, Tenney, and Voigt—5.

Report of Standing Committee.

The following report of standing committee was received and read:

On Engrossment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, December 5, 1940.

MR. SPEAKER: Your Committee on Engrossment and Enrollment has examined: Assembly Bill No. 8.

And reports the same correctly engrossed.

CASSIDY, Chairman.

Second Reading of Assembly Bill No. 8.

Assembly Bill No. 8—An act to amend Sections 39, 40, 41 and 42 of, and add Sections 41.1, 41.2 and 41.3 to the Unemployment Insurance Act, relating to experience rating.

Motion for Committee of the Whole.

Mr. Scudder moved that the Assembly resolve itself into a Committee of the Whole to consider Assembly Bill No. 8.

IN COMMITTEE OF THE WHOLE.

On motion of Mr. Scudder, the committee did arise and report back to the Assembly.

IN ASSEMBLY.

Speaker Garland in the chair.

**Motion to Postpone Further Action on Assembly Bill No. 8
Indefinitely.**

On motion of Mr. Lyon, further action on Assembly Bill No. 8 was postponed indefinitely by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Cronin, Crowley, Desmond, Dills, Dilworth, Donnelly, Doyle, Evans, Fulcher, Gannon, Gilmore, Green, Hawkins, Heisinger, Houser, Johnson, Kellems, Kepple, Kilpatrick, King, Knight, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, George P., O'Donnell, Pelletier, Phillips, Richie, Robertson, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, and Yorty—59.

NOES—None.

Second Reading of Senate Bill No. 7.

Senate Bill No. 7—An act making an additional appropriation to the Emergency Fund specified in Item 212 of the Budget Act of 1939, to be expended as provided therein, declaring the urgency hereof, and providing that this act shall take effect immediately.

Bill read second time.

Case of Urgency Resolution.

By Mr. Weybret:

Resolved, That Senate Bill No. 7 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read, and refused adoption by the following vote:

AYES—Allen, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Collins, Cronin, Crowley, Desmond, Donnelly, Doyle, Gilmore, Green, Hawkins, Kilpatrick, King, Leonard, Lore, Lyon, Maloney, Massion, Miller, George P., O'Donnell, Pelletier, Robertson, Sawallisch, Scudder, Stream, Thurman, Voigt, Walker, Waters, Weber, Weybret, Wollenberg, and Yorty—38.

NOES—Bashore, Clarke, Daley, Dilworth, Evans, Fulcher, Heisinger, Houser, Johnson, Kellems, Kepple, Knight, Meehan, Richie, Sheridan, Tenney, Thorp, Turner, and Watson—19.

Senate Message.

SENATE CHAMBER, SACRAMENTO, December 4, 1940.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Concurrent Resolution No. 1—Relative to adjournment sine die of the Fifth Extraordinary Session of the Fifty-third Legislature of the State of California.

J. A. BEEK, Secretary of Senate.

Request for Unanimous Consent.

Mr. Desmond asked for, and was granted, unanimous consent to consider Senate Concurrent Resolution No. 1, at this time, without reference to committee or calendar.

Consideration of Senate Concurrent Resolution No. 1.

Senate Concurrent Resolution No. 1—Relative to adjournment sine die of the Fifth Extraordinary Session of the Legislature of the State of California.

Senate Concurrent Resolution No. 1 read, and adopted by the following vote:

AYES—Allen, Bashore, Burns, Hugh M., Burns, Michael J., Burson, Call, Carlson, Cassidy, Clarke, Collins, Cronin, Daley, Desmond, Dills, Dilworth, Don-

nelly, Doyle, Evans, Fulcher, Gilmore, Green, Heisinger, Houser, Kellems, Kepple, Kilpatrick, King, Knight, Leonard, Lore, Lyon, Maloney, Massion, Meehan, Miller, George P., O'Donnell, Richie, Robertson, Sawallisch, Scudder, Sheridan, Stream, Tenney, Thorp, Thurman, Turner, Voigt, Walker, Waters, Watson, Weber, Weybret, Wollenberg, and Forty—54.

NOES—None.

Title read and approved. Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 1.

Relative to adjournment sine die of the Fifth Extraordinary Session of the Fifty-third Legislature of the State of California.

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the Fifth Extraordinary Session of the Fifty-third Legislature of the State of California, which convened at 3 o'clock p.m., on the second day of December, 1940, pursuant to a proclamation issued by the Governor of the State of California under date of December 2, 1940, shall adjourn sine die at 2 o'clock p.m., December 5, 1940.

Recess.

At eleven o'clock and twenty-five minutes a.m., on motion of Mr. Desmond, the Assembly was declared at recess until the hour of one o'clock and forty-five minutes p.m.

Reassembled.

At one o'clock and forty-five minutes p.m., the Assembly reconvened. Hon. Gordon H. Garland, Speaker of the Assembly, in the chair.

Reports of Standing Committees.

On Education.

ASSEMBLY CHAMBER, SACRAMENTO, December 5, 1940.

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 5.

Respectfully reports the same back without further action.

LEONARD, Chairman.

The above bill ordered transmitted to the Senate.

The following report of standing committee was received and read:

On Engrössment and Enrollment.

ASSEMBLY CHAMBER, SACRAMENTO, December 5, 1940.

MR. SPEAKER: Your Committee on Engrössment and Enrollment has examined:

Assembly Bill No. 1.

Assembly Bill No. 4.

Assembly Bill No. 2.

Assembly Bill No. 6.

Assembly Bill No. 3.

Assembly Bill No. 7.

Assembly Concurrent Resolution No. 1.

And reports the same correctly enrolled, and presented to the Governor on this fifth day of December, 1940, at twelve o'clock and thirty minutes m.

CASSIDY, Chairman.

House Resolution No. 16.

By the Committee on Attaches:

Resolved, That the following named persons be stricken from the list of Assembly attaches to take effect on completion of work December 5, 1940:

Rev. Raymond Lull Bailey

Jack Carl Greenburg

C. W. Booth

David V. Oliver

Wilkie Ogg

Albert Day

Lillian Larkin

Michael Connolly

Francis Ogg

Harold Lewright

Robert Voigt

James Evans

Robert Guy

Ed Nathan

Andrew A. Crist

Marion Hendricks

Beulah Van Wart

Juanita Bendepener

Nina Ronsdadt

Elizabeth Eyre

Sheral Holmes

Irene Mosher

Gertrude Marton

Fay Cronkite

June W. Ballard

Mary Jane Doty

Jacqueline Morgan

William Murphy

Louis Desmond

Domingo Correa

Jack Shafer

Jack W. Booth

VOIGT, Chairman.

Request for Unanimous Consent.

Mr. Voigt asked for, and was granted, unanimous consent to consider House Resolution No. 16, at this time, without reference to committee.

House Resolution No. 16 read, and adopted.

House Resolution No. 17.

By Mr. Thorp:

Resolved, That the Speaker appoint a committee of three to wait upon the Senate and inform it that the Assembly has concluded its labors and ask if it has any further message to deliver to this body.

Request for Unanimous Consent.

Mr. Thorp asked for, and was granted, unanimous consent to consider House Resolution No. 17, at this time, without reference to committee.

House Resolution No. 17 read, and adopted.

Appointment of Committee.

The Speaker appointed Messrs. Thorp, Collins and Watson as such Special Committee to inform the Senate that the Assembly was now ready to adjourn the Fifty-third (Fifth Extraordinary) Session.

Committee from the Senate.

A committee from the Senate, consisting of Senators Jespersen, Breed and Nielsen, informed the Assembly that they were now ready to adjourn the Fifty-third (Fifth Extraordinary) Session of the Legislature.

House Resolution No. 18.

By Mr. Massion:

Resolved, That the Speaker appoint a Committee of Three to wait upon His Excellency, Culbert L. Olson, Governor of the State of California, and inform him that the Assembly has concluded its labors and awaits his further pleasure.

Request for Unanimous Consent.

Mr. Massion asked for, and was granted, unanimous consent to consider House Resolution No. 18, at this time, without reference to committee.

House Resolution No. 18 read, and adopted.

Appointment of Committee.

The Speaker appointed Messrs. Massion, Cronin and Donnelly as such Special Committee to inform the Governor that the Assembly was now ready to adjourn the Fifty-third (Fifth Extraordinary) Session.

Reports of Committees.

The committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out.

The committee appointed to wait upon the Governor appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out.

Approval of Journals.

On motion of Mr. Stream, the Journals of Monday, December 2, 1940; Tuesday, December 3, 1940; Wednesday, December 4, 1940, and Thursday, December 5, 1940, were approved as corrected by the Minute Clerk.

Adjournment Sine Die.

At two o'clock p.m., Thursday, December 5, 1940, in accordance with Senate Concurrent Resolution No. 1, the Honorable Gordon H. Garland, Speaker of the Assembly, announced that the time for final adjournment of the Fifty-third (Fifth Extraordinary) Session of the Legislature of the State of California had arrived, and therefore declared the Assembly adjourned sine die.

JACK CARL GREENBURG,

Chief Clerk of the Assembly.

DAVID V. OLIVER,

Minute Clerk of the Assembly.

GORDON H. GARLAND,

Speaker of the Assembly.

GARDINER JOHNSON,

Speaker Pro Tempore of the Assembly.

RECAPITULATION OF ASSEMBLY BILLS



ASSEMBLY BILLS APPROVED BY GOVERNOR, CHAPTERED AND FILED WITH THE SECRETARY OF STATE

The following Assembly bills were approved by the Governor, chaptered and filed with the Secretary of State. Unless otherwise specified, all bills become effective 90 days after adjournment sine die of the Legislature, or on March 6, 1941.

A. B. Number	Chapter	Author	Subject of Title	Approved by Governor
1	4	Maloney, et al.	Permitting use of certain tide and submerged lands granted to City and County of San Francisco for military and naval purpose	Dec. 6
2	6	Turner	Re post office at Bakersfield	Dec. 7
3	7	Richie, et al.	Wind tunnel at San Diego State College	Dec. 7
4	8	Lyon, et al.	Investments in and taxation on bonding projects by insurers	Dec. 7
6	9	Robertson	Granting of certain lands by City of Santa Barbara to United States Government for Naval Reserve Armory	Dec. 7
7	3	Desmond	Appropriation for expenses of Fifth Extraordinary Session	Dec. 5
Total			6	

CHAPTER NUMBERS OF ASSEMBLY BILLS APPROVED BY THE GOVERNOR

Chapter number	Assembly bill number	Chapter number	Assembly bill number	Chapter number	Assembly bill number
3	7	6	2	8	4
4	1	7	3	9	6
Total			6		

ASSEMBLY CONCURRENT RESOLUTIONS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE

Number	Resolution Chapter	Author	Subject of Title	Filed with Secretary of State
1	1	Dills and Bashore	Re extending the Federal Commodity Stamp Plan	Dec. 5
Total			1	



I N D E X



INDEX TO ASSEMBLY JOURNAL

ASSEMBLY BILLS

No.		Page
1	Introduced, referred to Legislative Counsel, 8; read first time, 11; from committee: Do pass, 13; read second time, 14; reported correctly engrossed, 16; made case of urgency, Constitution suspended, urgency clause adopted, read third time, passed, to Senate, 17; passed by Senate, 23; to Governor, 38; approved by Governor, Chap. 4	43
2	Introduced, referred to Legislative Counsel, 9; read first time, 11; from committee: Do pass, 13; read second time, 14; reported correctly engrossed, 16; made case of urgency, Constitution suspended, urgency clause adopted, read third time, passed, to Senate, 16, 17; passed by Senate, 23; to Governor, 38; approved by Governor, Chap. 6	43
3	Introduced, referred to Legislative Counsel, 9; read first time, 11; from committee: Do pass, 13; read second time, 14; reported correctly engrossed, 16; made case of urgency, Constitution suspended, urgency clause suspended, read third time, passed, to Senate, 18; passed by Senate, 23; to Governor, 38; approved by Governor, Chap. 7	43
4	Introduced, referred to Legislative Counsel, 9; read first time, 11; from committee: Do pass, read second time; 14; made case of urgency, Constitution suspended, urgency clause adopted, read third time, passed, to Senate, 18, 19; passed by Senate, 33; to Governor, 38; approved by Governor, Chap. 8	43
5	Introduced and referred to Legislative Counsel, 9; read first time, 11; from committee: Do pass, 13; read second time, 14; reported correctly engrossed, 16; ordered withdrawn and stricken from calendar	27
6	Introduced and referred to Legislative Counsel, 9; read first time, 11; from committee: Do pass, 13; read second time, 14; reported correctly engrossed, 16; made case of urgency, Constitution suspended, urgency clause adopted, read third time, passed, to Senate, 19, 20; passed by Senate, 23; to Governor, 38; approved by Governor, Chap. 9	43
7	Introduced and referred to Legislative Counsel, 15; read first time, placed on calendar without reference to committee, 20; made case of urgency, read second time, read third time, passed, to Senate, 22; passed by Senate, 23; to Governor, 38; approved by Governor, Chap. 3	43
8	Introduced, referred to Legislative Counsel, read first time, 25; from committee: Do pass, read second time, amended, 34; read second time, considered in committee of the whole, further action postponed indefinitely	37

ASSEMBLY CONCURRENT RESOLUTION

1	Introduced, considered engrossed, adopted, to Senate, 25; adopted in Senate, 33; to Governor, 38; filed with Secretary of State, Res. Chap.	1
---	---	---

HOUSE RESOLUTIONS (Alphabetically)

ADJOURNMENT SINE DIE.	Committee to inform Senate Assembly ready to, H. R. 17, adopted, 39; Committee to inform Governor Assembly ready to, H. R. 18, adopted	39
ASSEMBLY ORGANIZATION.	Committee to inform Governor of, H. R. 2, adopted, 3; Committee to inform Senate of, H. R. 3, adopted	3
ATTACHES.	Appointing, H. R. 7, adopted, 6; striking from roll, H. R. 16, adopted	38
DIES COMMITTEE.	Urging continuation of, H. R. 14, adopted	32
HEADLAMPS, VEHICLE.	Re use of, H. R. 15, adopted	36
LEGISLATIVE SERVICE.	Termination of, of 16 members, H. R. 12, adopted	30
MILEAGE.	For members and officers, H. R. 5, referred to Committee on Mileage, 4; from committee: Be adopted, adopted, 8; action rescinded, 28; H. R. 9, referred to Committee on Mileage, 20; from committee: Be adopted, adopted, 23; action rescinded, 28; H. R. 10, adopted	28
NEBRASKA FOOTBALL TEAM.	Welcome and congratulations to, H. R. 13, adopted	31
OFFICERS OF ASSEMBLY.	Naming, H. R. 1, adopted	1
PRESS REPRESENTATIVES.	Credentials, H. R. 6, adopted	5
RULES.	Of Assembly, H. R. 4, adopted	3
SCUDDER, HUBERT B.	Re termination of legislative service of, H. R. 11, adopted	29
STANFORD UNIVERSITY FOOTBALL TEAM.	Congratulating, H. R. 8, adopted	6

HOUSE RESOLUTIONS (Numerically)

No.	Page
1 Naming officers of the Assembly, adopted.....	1
2 Inform Governor of Assembly organization, adopted.....	3
3 Inform Senate of Assembly organization, adopted.....	3
4 Adopting Rules, adopted.....	3
5 Mileage, referred to Committee on Mileage, 4; from committee: Be adopted, 7; adopted, 8; action rescinded.....	28
6 Press representatives, adopted.....	5
7 Appointing attaches, adopted.....	6
8 Congratulating the Stanford University Football Team, adopted.....	6
9 Mileage. Referred to Committee on Mileage, 20; from committee: Be adopted, adopted, 23; action rescinded.....	28
10 Mileage, adopted.....	28
11 Re termination of legislative service of Hon. Hubert B. Scudder, adopted.....	29
12 Re termination of legislative service of 16 members, adopted.....	30
13 Welcome and congratulations to Nebraska Football Team, adopted.....	31
14 Urging continuation of Dies Committee, adopted.....	32
15 Re use of vehicle headlamps, adopted.....	36
16 Striking attaches from roll, adopted.....	38
17 Inform Senate Assembly ready to adjourn, adopted.....	39
18 Inform Governor Assembly ready to adjourn, adopted.....	39

SENATE BILLS

1 Read first time, considered by unanimous consent, consideration of urgency clause, call of Assembly, call of Assembly dispensed with, urgency resolution adopted, Constitution suspended, read second time, read third time, passed, to Senate.....	14	15
2 Read first time, ordered on calendar without reference to committee, 21; read second time, 23; made case of urgency, Constitution suspended, urgency clause adopted, read third time, passed, to Senate.....	27	27
3 Read first time, ordered on calendar without reference to committee, 21; read second time, 23; made case of urgency, Constitution suspended, urgency clause adopted, read third time, passed, to Senate.....	26	26
4 Read first time, Constitution suspended, read second time, amended, 21; read second time, 24; read third time, urgency clause adopted, read third time, passed, to Senate, 26; Assembly amendments concurred in.....	36	36
5 Read first time, ordered on calendar without reference to committee, 24; re-referred to committee, 27; from committee without further action.....	38	38
6 Read first time, consideration of urgency resolution, call of Assembly, call of Assembly dispensed with, made case of urgency, Constitution suspended, read second time, urgency clause adopted, read third time, passed, to Senate.....	32	33
7 Read first time, ordered on second reading calendar, 32; urgency resolution refused adoption.....	37	37

SENATE CONCURRENT RESOLUTION

1 In Assembly, adopted, to Senate.....	38
--	----

A

	PAGE
ADJOURNMENT. Sine die	40
ALLEN, DON A.	
RESOLUTION BY, urging continuation of Dies Committee	31
ANDREAS, GODFREY A.	
ABSENCE, granted leave of	35
ASSEMBLY RULES. House resolution adopting	3
ATKINSON, MAURICE E.	
ABSENCE, granted leave of	35
RESOLUTION FOR, re termination of legislative service	30

B

BAILEY, REV. RAYMOND LULL. Appointed Chaplain, 6; stricken from roll	38
BALLARD, JUNE W. Appointed stenographer, 6; stricken from roll	38
BASHORE, LEE T.	
RESOLUTION BY, urging continuation of Dies Committee	31
BENNETT, F. RAY.	
ABSENCE, granted leave of	35
BOOTH, C. W. Appointed Assistant Chief Clerk, 6; stricken from roll	38
BOOTH, JACK W. Appointed page, 6; stricken from roll	38
BREED, SENATOR ARTHUR H. JR. Committee, inform Assembly Senate ready to adjourn	39
BURNS, HUGH H.	
COMMITTEE, appointed on, inform Governor of Assembly organization	3
RESOLUTION BY, inform Governor of Assembly organization, 3; urgency, S. B. 2	27
BURNS, MICHAEL J.	
RESOLUTION BY, urgency, S. B. 3	25
BURSON, ROSCOE W.	
RESOLUTION FOR, re termination of legislative service	30

C

CALL, HARRISON WM.	
PRINT, Governor's message, motion to	9
RESOLUTIONS BY, congratulating Stanford Football Team, 6; urging continuation of Dies Committee	31
CALL OF ASSEMBLY. Motion for, S. B. 1, 15; S. B. 6, 32; motion to dispense with, S. B. 1, 15; S. B. 6	33
CARLSON, ARTHUR W.	
COMMITTEE, appointed on, inform Senate of Assembly organization	3
RESOLUTION BY, urging continuation of Dies Committee	31
CLARKE, GEORGE A.	
RESOLUTION BY, urging continuation of Dies Committee	31
COLLINS, GEORGE D., JR.	
COMMITTEE, appointed on, inform Senate Assembly ready to adjourn	39
COMMITTEE FROM SENATE. Inform Assembly Senate ready to adjourn	39
COMMITTEE OF THE WHOLE. Motion for, A. B. 8	36
COMMUNICATION. From Governor re legislation	9
CONNOLLY, MICHAEL. Appointed Assistant Sergeant-at-Arms, 6; stricken from roll	38
CORREA, DOMINGO. Appointed Page, 6; stricken from roll	38
CORWIN, GORDON W.	
ABSENCE, granted leave of	5
RESOLUTION FOR, re termination of legislative service	30
CRIST, ANDREW A. Appointed Assistant Sergeant-at-Arms, 6; stricken from roll	38
CRONIN, MELVYN I.	
COMMITTEE, appointed on, inform Governor Assembly ready to adjourn	39
CRONKITE, FAY. Appointed stenographer, 6; stricken from roll	38
CROWLEY, ERNEST C.	
AMEND, MOTION TO, S. B. 4	21
RESOLUTION BY, urgency, S. B. 4	21
WITHDRAW AND STRIKE FROM CALENDAR, motion	27

D

	PAGE
DALEY, JEANETTE E.	
COMMITTEE, appointed on, inform Governor of Assembly organization	3
RESOLUTION BY, urging continuation of Dies Committee	31
DAY, ALBERT. Appointed Journal Clerk, 6; stricken from roll	38
DEL MUTOLO, M. G.	
ABSENCE, granted leave of	35
COMMITTEE, appointed on, inform Governor of Assembly organization	3
DEPENDENER, JUANITA L. Appointed Chief Stenographer, 6; stricken from roll	38
DESMOND, EARL D.	
ADJOURN, motion to	12, 22, 34
JOURNAL, motion to dispense with reading of	35
PRINT Governor's proclamation, motion to	2
RECESS, motion for	11, 20, 31
RESOLUTIONS BY, adopting rules, 3; naming officers of Assembly, 1; urgency, A. B. 7	22
DESMOND, LOUIS. Appointed Page, 6; stricken from roll	38
DILLS, RALPH C.	
COMMITTEE, appointed on, inform Governor of Assembly organization	3
DILLWORTH, NELSON S.	
RESOLUTION BY, urging continuation of Dies Committee	31
DONNELLY, HUGH P.	
COMMITTEE, appointed on, inform Governor Assembly ready to adjourn	39
DOTY, MARY JANE. Appointed stenographer, 6; stricken from roll	38
DOYLE, THOMAS J.	
RESOLUTION BY, ratifying press credentials, 5; re use of vehicle headlamps	36

E

EVANS, JAMES. Appointed Assistant Sergeant-at-Arms, 6; stricken from roll	38
EYRE, ELIZABETH. Appointed stenographer, 6; stricken from roll	38

F

FEAVER, REV. E. KENNETH. Prayer by	3, 13
FIELD, C. DON.	
ABSENCE, granted leave of	23, 35
FLAG. Pledge of allegiance to	3
FULCHER, CLINTON J.	
RESOLUTION FOR, re termination of legislative service	30

G

GALLAGHER, DAN.	
ABSENCE, granted leave of	35
GANNON, CHESTER F.	
RESOLUTIONS BY, urging continuation of Dies Committee	31
RESOLUTION FOR, re termination of legislative service	30
GARLAND, GORDON II.	
ADJOURNED ASSEMBLY, sine die	40
APPOINTMENT OF COMMITTEES, inform Governor of Assembly organization, 3; inform Senate of Assembly organization, 3; inform Governor Assembly ready to adjourn, 39; inform Senate Assembly ready to adjourn	39
OATH OF OFFICE as Speaker	2
SPEAKER	1
GILBERT, WILBUR F.	
ABSENCE, granted leave of	5
RESOLUTION FOR, re termination of legislative service	30
GILMORE, JOSEPH P.	
RESOLUTION FOR, re termination of legislative service	30
GREENBURG, JACK CARL. Present for opening of session, 1; elected Chief Clerk, 1; stricken from roll, 38; oath of office	2
GUY, ROBERT. Appointed Assistant Sergeant-at-Arms, 6; stricken from roll	38
HEADLAMPS, VEHICLE. Resolution re use of	36

H

	Page
HENDRICKS, MARION. Appointed Engrossing and Enrolling Clerk, 6; stricken from roll-----	38
HOLMES, SHERAL. Appointed stenographer 6, stricken from roll-----	38
HOUSER, FREDERICK, F. RECESS, motion for-----	20

J

JESPERSEN, SENATOR CHRIS N. Committee, inform Assembly of Senate organization, 5; committee, inform Assembly Senate ready to adjourn-----	37
JOHNSON, GARDINER OATH OF OFFICE-----	2
SPEAKER PRO TEM-----	1
JOURNALS. Motion to approve, 40; motion to dispense with reading of 13, 23, 35	35

K

KELLEMS, JESSE RANDOLPH PRAYER BY-----	35
RESOLUTION BY, urging continuation of Dies Committee-----	31
KEPPLE, GERALD C. COMMITTEE, appointed on, inform Senate of Assembly organization-----	3
KNIGHT, T. FENTON. RECESS, motion for-----	34
KUCHEL, THOMAS H. CALL OF ASSEMBLY, motion for, S. B. 1, 15; motion to dispense with, S. B. 1	15
RESOLUTION BY, urgency, S. B. 1-----	15
RESOLUTION FOR, re termination of legislative service-----	30

L

LARKIN, LILLIAN. Appointed stenographer, 6; stricken from roll-----	38
LEWRIGHT, HAROLD. Appointed Assistant Sergeant-at-Arms, 6; stricken from roll-----	38
LORE, ELMER E. RESOLUTION FOR, re termination of legislative service-----	31
LYON, CHARLES W. COMMITTEE, appointed on, inform Governor of Assembly organization-----	3
POSTPONE ACTION ON A. B. S, indefinitely, motion to-----	37
RESOLUTION BY, inform Senate of Assembly organization, 3; urgency, A. B. 4	18

M

MALONEY, THOMAS A. RESOLUTION BY, urgency A. B. 1-----	17
MARTON, GERTRUDE. Appointed stenographer, 6; stricken from roll-----	38
MASSION, JACK COMMITTEE, appointed on, inform Governor Assembly ready to adjourn-----	39
RESOLUTION BY, inform Governor Assembly ready to adjourn-----	39
MCCORMACK, SENATOR THOMAS. Committee, inform Assembly of Senate organization-----	5
MILLER, ELEANOR. ABSENCE, granted leave of-----	35
COMMITTEE, inform Senate of Assembly organization-----	3
RESOLUTION BY, urging continuation of Dies Committee-----	31
MILLER, GEORGE P. RESOLUTION FOR, re termination of legislative service-----	31
MORGAN, JACQUELINE. Appointed stenographer, 6; stricken from roll-----	38
MOSHER, IRENE. Appointed stenographer, 6; stricken from roll-----	38
MOTION. Adjourn, 12, 22, 34; print message from Governor, 9; recess-----	11, 20, 31, 34, 38
MURPHY, WILLIAM. Appointed Chief Page, 6; stricken from roll-----	38

N

NATHAN, ED. Appointed Assistant Sergeant-at-Arms, 6; stricken from roll	38
NIELSEN, SENATOR ROY J. Committee, inform Assembly Senate ready to adjourn-----	39

O

	PAGE
OATHS OF OFFICE. Administered by Secretary of State.....	2
O'DAY, EDWARD F.	
ABSENCE, granted leave of.....	35
O'DONNELL, JOHN H.	
RESOLUTION FOR, re termination of legislative service.....	31
OGG, FRANCIS. Elected Assistant Sergeant-at-Arms, 6; stricken from roll	38
OGG, WILKIE. Oath of office, 2; present, 1; Sergeant-at-Arms, 6; stricken from roll.....	38
OLIVER, DAVID V. Minute Clerk present, 1; oath of office, 2; appointed Minute Clerk, 6; stricken from roll.....	38
OLSON, CULBERT L.	
MESSAGE FROM, re legislation, 9; proclamation by.....	2

P

PEEK, PAUL. Administered oaths of office.....	2
PHILLIPS, JAMES H.	
RESOLUTION BY, urging continuation of Dies Committee.....	31
PLEDGE OF ALLEGIANCE TO FLAG.....	3
POULSON, NORRIS.	
ABSENCE, granted leave of.....	35
PRAYER. By Rev. E. Kenneth Feaver, 3; by Rev. Alfred Tonness.....	23
PRESS REPRESENTATIVES. Credentials.....	5
PROCLAMATION. By Governor.....	2

R

REDWINE, KENT H.	
ABSENCE, granted leave of.....	5
RESOLUTION FOR, re termination of legislative service.....	31
REPORTS OF COMMITTEE. To wait on Governor, 39; to wait on Senate	39
RICHIE, PAUL A.	
RESOLUTION BY, urgency, A. B. 3.....	18
ROBERTSON, ALFRED W.	
RESOLUTION BY, congratulating Stanford Football team, 6; re termination of legislative service of 16 members, 30; urgency, A. B. 6.....	19
ROLL CALL. Of members.....	1
RONSTADT, NINA. Appointed Secretary to Speaker, 6; stricken from roll	38

S

SALSMAN, BYRL R.	
ABSENCE, granted leave of.....	35
RESOLUTION BY, congratulating Stanford Football team.....	6
SCUDDER, HUBERT B.	
COMMITTEE OF THE WHOLE, motion for, A. B. 8, 36; motion Committee of the Whole arise and report.....	37
RESOLUTION FOR, re termination of legislative service.....	29, 31
SENATE MESSAGE. Naming officers of Senate.....	4
SILAFER, JACK. Appointed page, 6; stricken from roll.....	38
STREAM, CHARLES W.	
JOURNALS, motion to approve, 40; motion to dispense with reading of.....	23
SWING, SENATOR RALPH E.	
COMMITTEE, inform Assembly of Senate organization.....	5

T

TENNEY, JACK B.	
RESOLUTION BY, urging continuation of Dies Committee.....	31
TIHOP, JAMES E.	
COMMITTEE, appointed on, inform Senate Assembly ready to adjourn.....	39
RESOLUTION BY, inform Senate Assembly ready to adjourn, 39; termination of legislative service of Hon. Hubert B. Scudder.....	39
TONNESS, REV. ALFRED. Prayer by.....	23
TURNER, RODNEY L.	
JOURNAL, motion to dispense with reading of.....	13
RESOLUTION, urgency, A. B. 2.....	16

V

VAN WART, BEULAH. Appointed Assistant Clerk, 6; stricken from roll.....	38
VOIGT, ROBERT. Appointed History Clerk, 6; stricken from roll.....	38

W

	Page.
WALKER, CLARENCE R.	
RESOLUTION FOR, re termination of legislative service_____	31
WATSON, CLYDE A.	
COMMITTEE, inform Senate Assembly ready to adjourn_____	39
WATERS, FRANK J.	
RESOLUTION BY, re mileage, 4, 20; urging continuation of Dies Committee__	31
WEYBRET, FRED	
CALL OF ASSEMBLY, S. B. 6, motion for, 32; motion to dispense with, S. B. 6	33
RESOLUTION, urgency, S. B. 6, 32; urgency, S. B. 7_____	37
WILLIAMSON, RAYMOND	
ABSENCE, granted leave of_____	35
RESOLUTION, re termination of legislative service_____	31
WILLIAMSON, RAYMOND, JR. Appointed page, 6; stricken from roll_____	38

Y

YORTY, SAMUEL WILLIAM.	
RESOLUTION FOR, re termination of legislative service_____	31
RESOLUTION BY, urging continuation of Dies Committee, 31; welcome and congratulations to Nebraska Football Team_____	31

O



